

# **JOURNAL**

OF THE

## **HOUSE OF REPRESENTATIVES**

OF THE

## **COMMONWEALTH OF KENTUCKY.**

BEGUN AND HELD IN THE TOWN OF FRANKFORT, ON MONDAY THE  
SIXTH DAY OF DECEMBER, IN THE YEAR OF OUR LORD 1830,  
AND OF THE COMMONWEALTH THE THIRTY-NINTH.

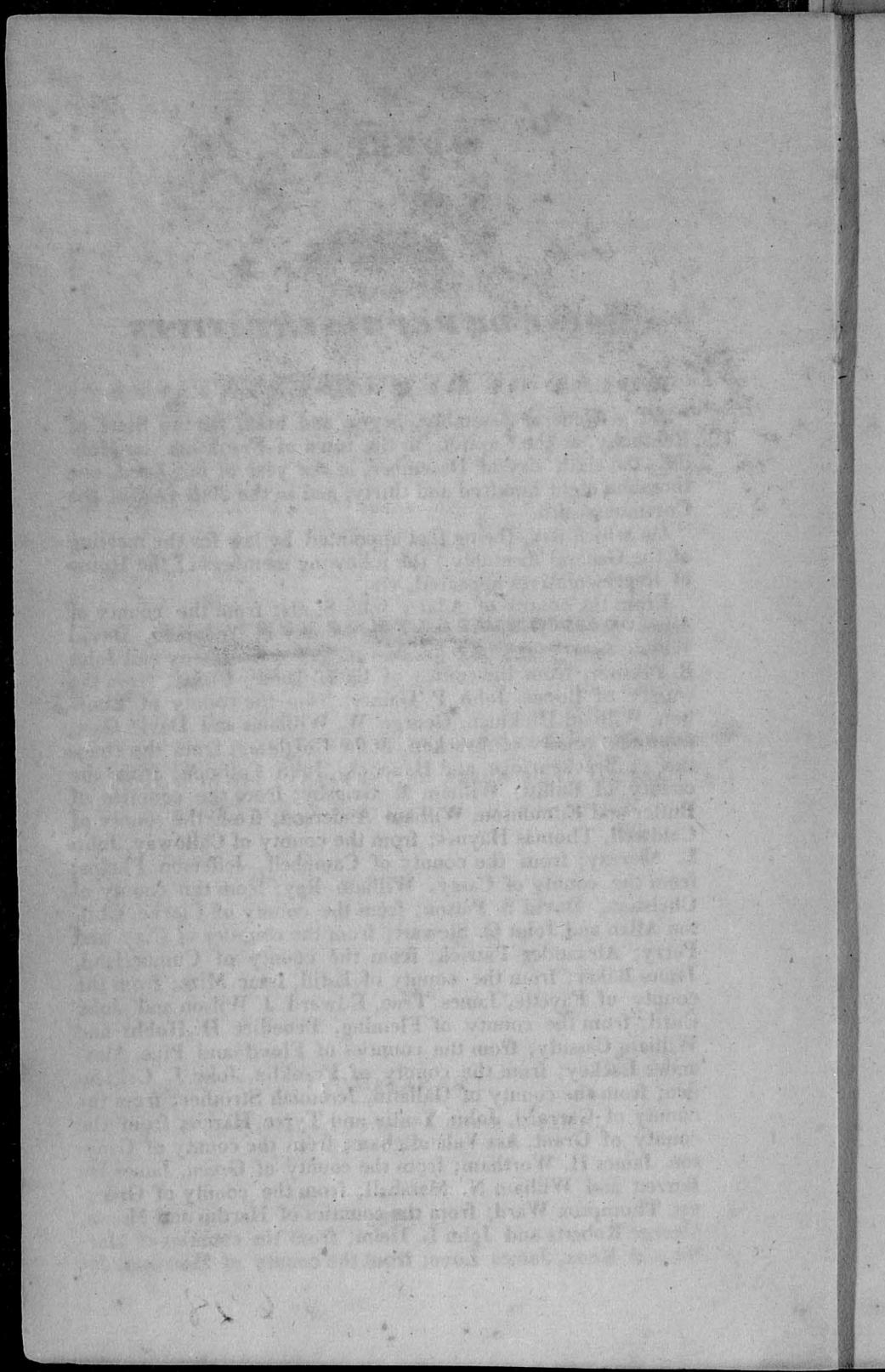
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**FRANKFORT:**

**JAMES G. DANA & ALBERT G. HODGES,**  
PRINTERS FOR THE STATE.

.....  
**1830.**

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**JOURNAL**  
OF THE  
**HOUSE OF REPRESENTATIVES.**

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AT a General Assembly, begun and held, for the State of Kentucky, at the Capitol, in the town of Frankfort, on Monday, the sixth day of December, in the year of our Lord, one thousand eight hundred and thirty, and in the 39th year of the Commonwealth.

On which day, (being that appointed by law for the meeting of the General Assembly,) the following members of the House of Representatives appeared, viz:

From the county of Adair, John Stotts; from the county of Allen, Anach Dawson; from the county of Anderson, David White; from the county of Barren, James G. Hardy and John B. Preston; from the county of Bath, Henry Chiles; from the county of Boone, John P. Gaines; from the county of Bourbon, William Hickman, George W. Williams and David Gass; from the county of Bracken, John Colglazer; from the counties of Breckenridge and Hancock, John Calhoon; from the county of Bullitt, William R. Grigsby; from the counties of Butler and Edmonson, William Anderson; from the county of Caldwell, Thomas Haynes; from the county of Calloway, John L. Murray; from the county of Campbell, Jefferson Phelps; from the county of Casey, William Ray; from the county of Christian, David S. Patton; from the county of Clarke, Chilton Allan and John G. Stewart; from the counties of Clay and Perry, Alexander Patrick; from the county of Cumberland, James Baker; from the county of Estill, Isaac Mize; from the county of Fayette, James True, Edward J. Wilson and John Curd; from the county of Fleming, Benedict H. Hobbs and William Cassidy; from the counties of Floyd and Pike, Alexander Lackey; from the county of Franklin, John J. Crittenden; from the county of Gallatin, Jeremiah Strother; from the county of Garrard, John Yantis and Tyree Harris; from the county of Grant, Asa Valandigham; from the county of Grayson, James H. Wortham; from the county of Green, James W. Barrett and William N. Marshall; from the county of Greenup, Thompson Ward; from the counties of Hardin and Meade, George Roberts and John L. Helm; from the counties of Harlan and Knox, James Love; from the county of Harrison, Jo-

seph Patterson and Theophilus Chowning; from the county of Hart, Benjamin Copeland; from the county of Henry, Benjamin Allen and John Fields; from the counties of Henderson and Union, Archibald Dixon; from the counties of Hickman, Graves and McCracken, Thomas James; from the county of Hopkins, Andrew Sisk; from the county of Jefferson, Samuel Churchill and Henry Robb; from the county of Jessamine, Courtney R. Lewis; from the counties of Lawrence and Morgan, Rowland T. Burns; from the county of Lewis, Thomas Henderson; from the county of Lincoln, Logan Hunton; from the county of Livingston, Wiley P. Fowler; from the county of Logan, Presley Morehead and Ephraim M. Ewing; from the City of Louisville, James Guthrie; from the county of Madison, Squire Turner, John Speedsmith and Clifton Rodes; from the county of Mason, John Chambers and James K. Marshall, from the county of Mercer, John A. Tomlinson, Robert B. McAfee and Elias Tompkins; from the county of Monroe, John S. Barlow; from the county of Montgomery, James Hayes; from the county of Muhlenburg, William C. McNary; from the county of Nelson Richard Rudd; from the county of Ohio, Dillis Dyer; from the county of Owen, John Brown; from the county of Pendleton, Thomas G. Hall; from the county of Pulaski, Berry Smith; from the county of Rockcastle, Charles Colyer; from the county of Russell, Jeremiah S. Pierce; from the county of Scott, Euclid L. Johnson and Andrew Johnson; from the county of Shelby, Andrew S. White, Percival Butler and James C. Sprigg; from the county of Simpson, William J. Williams; from the county of Spencer, Stilwell Heady; from the county of Todd, Richard B. New; from the county of Trigg, Lipscomb Norville; from the county of Warren, James T. Morehead and Henry Shanks; from the county of Washington, George H. Girton, Richard Spalding and George Grundy; and from the county of Woodford, Southey Whittington.

Who, constituting a quorum, and having taken the oaths required by the Constitution of the United States and of this state, and also that prescribed by the act of Assembly, "more effectually to prevent the practice of duelling," repaired to their seats.

Mr. Benjamin F. Thomas, a member returned to serve in this House, from the county of Montgomery; Mr. Samuel T. Beall, a member from the county of Nelson; Mr. William H. Russell, a member from the county of Nicholas; Mr. James S. Crutchfield, a member from the county of Oldham, and Mr. Sherrod Williams, a member from the county of Wayne, severally appeared, produced certificates of their election, and took the oaths prescribed by the constitution of the United States and

of this state, but declined taking that prescribed by the act of Assembly, to prevent the practice of duelling: whereupon,

*Resolved*, That they be severally permitted to take their seats, and exercise the privileges of members until the further order of this House.

Mr. John J. Crittenden was duly elected Speaker of this House during the present session, and conducted to the chair; from whence he recommended the observance and preservation of good order and decorum.

Mr. Robert S. Todd was duly elected Clerk of this House during the present session, and the oath of office was administered to him.

Mr. Yantis nominated Wm. McBride, as a proper person to fill the office of Sergeant at Arms; Mr White nominated Wm. B. Wallace; Mr. J. T. Morehead nominated Joseph Gray; Mr. Butler nominated Sam. W. White; Mr. Allan nominated James Hunter; and Mr E. L. Johnson nominated Benjamin Hickman.

Whereupon, Mr. Love moved the following resolution:

*Resolved*, That in the elections for the officers of this House, that the person having the lowest number of votes shall be successively dropped, until some one shall obtain a majority of the whole number of votes given.

Which being twice read and the question taken on the adoption thereof, it was decided in the negative, and so the said resolution was disagreed to.

The House then proceeded to the said election, and after taking two several votes between the candidates on nomination, a majority appeared in favor of Mr. Joseph Gray, who was thereupon declared duly elected.

Mr. Shanks nominated Mr. Henry Wingate as a proper person to fill the office of Door Keeper; and Mr. Guthrie nominated Mr. Roger Divine; and upon taking a vote between them, a majority of all the votes appearing in favor of Mr. Henry Wingate, he was thereupon declared duly elected.

*Ordered*, That a message be sent to the Senate, informing that body, that this House having met, formed a quorum and elected their officers, are now ready to proceed to legislative business; and that Messrs. Ewing, Calhoon and Haynes, are appointed a committee on the part of this House, to act in conjunction with such committee as may be appointed on the part of the Senate, to wait on the Governor, and inform him that the General Assembly have convened, and are now ready to receive any communication he may think proper to make; and that Mr. Yantis carry the said message.

A message from the Senate by Mr Wingate:

Mr. Speaker—I am directed by the Senate to inform this House, that the Senate having met, formed a quorum, and elect-

ed their officers, are now ready to proceed to legislative business. They have appointed a committee on their part, to act in conjunction with the committee appointed on the part of this House, to wait on the Governor, and inform him that the General Assembly have convened and are now ready to receive any communication he may think proper to make.

Mr James offered the following resolution:

*Resolved*, That this House will now proceed to the election of an Assistant Clerk.

Which being twice read, was adopted.

Mr. James thereupon nominated Mr. Gabriel I. Johnston as a suitable person to fill that office; Mr. Butler nominated Mr. Peter I. Railey, and Mr. Thomas nominated Mr. Henry Richardson; and upon taking a vote between them, a majority of all the votes appearing in favor of Mr. Gabriel I. Johnston, he was thereupon declared duly elected, and the oath of office administered to him.

Mr. Calhoon, from the joint committee appointed to wait on the Governor, reported that the committee had discharged the duty assigned, and were informed by the Governor, that he would, on to-morrow, at 12 o'clock, make a written communication (by way of message) to each House of the General Assembly, in their respective chambers.

*Ordered*, That the rules of the last, be adopted, as those of the present session, with the following amendment: "That no bill or resolution shall be taken from the orders of the day, out of the regular order, but by a vote of two thirds of the members present;" and that the Public Printer forthwith print one hundred and fifty copies of said rules, for the use of the members.

*Ordered*, That a committee of propositions and grievances be appointed, and a committee was appointed, consisting of Messrs McAfee, Lackey, True, Tomlinson, Wortham, Mize, Lewis, Patterson, Chowning, Cassidy, Harris and P. Morehead, and such other members as may from time to time choose to attend, who are to meet and adjourn from day to day, and take under consideration all propositions and grievances which may legally come before them, and all such matters as shall, from time to time be referred to them, and report their proceedings, with their opinion thereupon, to the House; and said committee shall have power to send for persons, papers and records for their information.

*Ordered*, That a committee of privileges and elections be appointed, and a committee was appointed consisting of Messrs Yantis, Barrett, Colglazer, Anderson, Colyer, Patrick, Pierce, Rodes, Robb, Russell, Burns, Preston and Sisk, who are to meet and adjourn from day to day, and to take under consideration, and examine all returns for members returned to serve in

DEC. 6.] HOUSE OF REPRESENTATIVES.

this House during the present session of the General Assembly, and all questions concerning privileges and elections, and report their proceedings, with their opinions thereupon, to the House; and said committee shall have power to send for persons, papers and records for their information.

*Ordered*, That a committee of claims be appointed, consisting of Messrs. Love, Helm, Dixon, Shanks, James, A. Johnson, Grundy, Girton, Curd, Crutchfield and Fields; who are to meet and adjourn from day to day, and take under consideration all public claims, and such other matters as may from time to time be referred to them, and report their proceedings, with their opinion thereupon, to the House; and said committee shall have power to send for persons, papers and records for their information.

*Ordered*, That a committee for courts of Justice be appointed, and a committee was appointed, consisting of Messrs Guthrie, Calhoon, Chambers, Turner, Grigsby, Fowler, Rudd, Patton, Sprigg, D. White, Whittington, Williams (of Wayne,) and Chiles; who are to meet and adjourn from day to day, and to take into consideration all matters relating to courts of justice, and such other as may from time to time be referred to them, and report their proceedings with their opinion thereupon to the House; and the said committee is to inspect the Journal of the last session, and draw up a statement of the matters then depending and undetermined and the progress made therein; also to examine what laws have expired since the last session, and inspect such temporary laws as will expire with this, or are near expiring, and report the same to the House, with their opinion thereupon, which of them ought to be revived and continued; and the said committee shall have power to send for persons, papers and records for their information.

*Ordered*, That a committee of religion be appointed; and a committee was appointed, consisting of Messrs. Hardy, Harris, Hays, Hobbs, Strother, Stotts, Norvill and Baker; who are to meet and adjourn, from time to time, and take into consideration, all matters and things relating to religion and morality, and such others as may, from time to time, be referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee shall have power to send for persons, papers and records, for their information.

*Ordered*, That a committee of ways and means be appointed; and a committee was appointed, consisting of Messrs. Allan of Clarke, Ewing, Speedsmith, Churchill, Haynes, Dixon, Thomas, Wilson, B. Allen, Hickman, Helm, Gass, and Stewart; who are to meet and adjourn, from day to day, and take under consideration the revenue laws of this Commonwealth, and all matters and things relating to or connected with the fiscal con-

cerns thereof, and such other as may from time to time be referred to them, and report their proceedings, with their opinion thereupon, to the House; and the said committee shall have power to send for persons, papers and records for their information.

*Ordered,* That a committee on internal improvements be appointed, and a committee was appointed, consisting of Messrs. J. T. Morehead, Roberts, G. W. Williams, Phelps, Chambers, Vallandigham, Spalding, Gaines, New, Butler, Guthrie and Thomas; who are to meet and adjourn from day to day, and take under consideration all such matters and things relating to the improvement of the condition of the country by roads and canals, and such other matters as may come legally before them, or be referred to them, reporting their proceedings, with their opinion thereupon, to the House; and the said committee shall have power to send for persons, papers and records for their information.

*Ordered,* That a committee on education be appointed, and a committee was appointed, consisting of Messrs. Butler, J. K. Marshall, Hunton, E. L. Johnson, Ray, Rodes, Dyer, B. Smith and Tompkins; who are to meet and adjourn from time to time, and take under consideration all matters and things relating to education and the subjects immediately connected therewith, and such other as may from time to time be referred to them, reporting their proceedings, with their opinion thereupon, to the House; and the said committee shall have power to send for persons, papers and records for their information.

*Ordered,* That a committee on military affairs be appointed, and a committee was appointed, consisting of Messrs. Heady, Jackson, McNary, White (of Shelby,) Ward, Copeland, Dawson, Hall, Beall, Henderson, Murray and Williams (of Simpson;) who are to meet and adjourn from time to time, and take under consideration the militia laws of this Commonwealth, and all matters and things relating to the militia, and such other as may from time to time be referred to them, reporting their proceedings, with their opinion thereupon, to the House; and the said committee shall have power to send for persons, papers and records for their information.

*Ordered,* That Messrs. Barlow, W. N. Marshall, B. Allen, Murray, Brown and Robb, be appointed a committee of enrolments on the part of this House; and that the Clerk inform the Senate thereof, and request the appointment of a similar committee on the part of the Senate.

On motion of Mr. Calhoun:

*Ordered,* That a writ of election issue to the county of Daviess, for the purpose of electing a suitable person to represent said county in this House during the present session of the Gen-

eral Assembly; and that the said election be held on the third Monday of the present month.

And then the House adjourned.

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TUESDAY, DECEMBER 7, 1830.

Mr Jarvis Jackson, a member returned to serve in this House from the counties of Laurel and Whitley, appeared, produced a certificate of his election and of his having taken the oaths prescribed by the constitution of the United States, and the constitution and laws of this state, and took his seat.

1. Mr. Roberts presented the petition of sundry citizens of Hardin, Hart and Grayson counties, praying the formation of a new county out of parts of each of said counties.

2. Mr. James presented the petition of sundry citizens of Hickman county, praying the removal of the seat of justice of said county from the town of Clinton; also, the remonstrance of sundry other citizens of said county against such removal.

3. Mr. Yantis presented the petition of sundry citizens of this state, praying that a law may pass to prevent the further importation of slaves into this state as merchandise.

4. Mr. Williams (of Wayne) presented the petition of Andrew Woodley, praying compensation for attending the Wayne court as a witness, from the state of Georgia, against James C. Martin, charged with felony.

5. Mr. Turner presented the petition of the heirs of James Broaddus, deceased, praying that a law may pass appointing a commissioner to sell a tract of land belonging to said heirs.

6. Mr. Chiles presented the petition of the heirs of William Denton, deceased, praying that a law may pass authorizing the administrator of said Denton to sell certain lots and lands belonging to the estate of his intestate.

7. Mr. Beall presented the petition of sundry citizens of Nelson county, praying that a law may pass vesting the property lately owned by a free negro man, named George, in pursuance of his request, in his wife Lucy.

8. Mr. Lackey presented the petition of sundry citizens of Floyd county, praying an extension of the terms of the circuit court of said county.

9. Mr. Sprigg presented the petition of David Turnham, praying a change of venue for his trial upon an indictment now pending against him in Jefferson county.

10. Mr. Hardy presented the petition of James Murray, praying remuneration for money expended by him in pursuing Jas.

E. Fanning, charged with felony, to the state of Alabama, and bringing him to Hart county in this state, for trial.

11. Mr. Fowler presented the petition of sundry citizens of the town of Smithland, praying that a law may pass authorizing the Trustees of said town to levy and collect additional taxes on the persons and property in said town.

12. Mr Lackey presented the petition of Henry Weddington, praying remuneration for loss of time and money expended by him, in bringing to justice Pleasant Hackworth, charged with felony.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, second and eleventh to the committee of propositions and grievances; the fourth, tenth and twelfth to the committee of claims; the third, sixth, seventh and ninth to the committee of courts of justice; the fifth to a select committee of Messrs Turner, Smith and Rodes, and the eighth to a select committee of Messrs Lackey, Ward and Burns.

Leave was given to bring in the following bills:

On motion of Mr Thomas—1. A bill to improve the condition of the state road from Mountsterling to the mouth of Big Sandy.

On motion of Mr Chiles—2. A bill to repeal an act entitled “an act to amend the law in relation to opening and repairing the public roads in certain counties, so far as the same embraces the county of Bath, and for other purposes.”

On motion of Mr Ray—3. A bill to legalize the election of the Trustees of the town of Liberty.

On motion of Mr Heady—4. A bill for the benefit of the clerk of the Spencer circuit court.

On motion of Mr D. White—5. A bill to amend an act entitled, “an act requiring certain duties of the clerks of this Commonwealth, approved Jan. 16th, 1829.”

On motion of Mr Turner—6. A bill to reduce the number of justices of the peace in the county of Madison, and for other purposes.

On motion of Mr Speedsmith—7. A bill to regulate and reduce the fees of the clerks of the circuit and county courts of this Commonwealth.

On motion of Mr Beall—8. A bill to amend the duelling law.

On motion of Mr Ray—9. A bill to continue in force an act for the benefit of the Headright and Tellico settlers, and for other purposes.

On motion of Mr Guthrie—10. A bill more effectually to secure shipwrights and others in their claims against steam boats and other vessels navigating the western waters.

On motion of Mr J. T. Morehead—11. A bill to amend and reduce into one the several acts, or parts of acts, for regulating conveyances, and to prescribe the mode of authenticating the same for record.

On motion of Mr McAfee—12. A bill to amend the law concerning guardians and their securities.

On motion of Mr Rodes—13. A bill to incorporate the Madison Library company.

On motion of Mr. Rudd—14. A bill to alter the mode of summoning jurors.

On motion of Mr. Tompkins—15. A bill to regulate the fees of Sheriffs and Constables in certain cases, and for other purposes.

On motion of Mr. Burns—16. A bill more effectually to prevent swindling.

On motion of Mr. Haynes—17. A bill to amend the law in relation to the securities of executors and administrators.

On motion of Mr Dixon—18. A. Bill to pay jurors.

On motion of Mr Calhoun—19. A bill to change the time of holding certain circuit courts in this Commonwealth.

On motion of Mr Beall—20. A bill to extend the terms of the Nelson circuit court.

On motion of Mr Phelps—21. A bill to amend an act, providing a remedy against bail in civil actions, passed Jan. 29, 1829.

On motion of Mr. Wilson—22. A bill to amend an act entitled, “an act to organize two fire companies in the town of Lexington, and for other purposes.”

On motion of Mr. Turner—23. A bill to amend the law concerning executors and administrators.

On motion of Mr Patton—24. A bill to alter the time of holding the August term of the Christian circuit court.

On motion of Mr Thomas—25. A bill for the benefit of the sheriffs of Bath and Montgomery counties.

On motion of Mr Burns—26. A bill to change the time of holding the Morgan county court.

On motion of Mr. Yantis—27. A bill to authorize the Garrard county court to permit gates to be erected across certain roads in said county.

On motion of Mr. Crutchfield—28. A bill to extend the several terms of the Oldham circuit courts.

On motion of Mr. Patton—29. A bill to amend the act regulating the appropriation of fines and forfeitures, so far as regards the county of Christian.

On motion of Mr. Butler—30. A bill to authorize the insertion of advertisements in the “Political Examiner and General Recorder,” and in the “American” and “Union.”

Messrs. Thomas, Chiles, Hayes, C. Allan, Ward, Stewart,

Burns and Cassidy, were appointed a committee to prepare and bring in the first; Messrs. Chiles, C. Allan and Russel, the second; Messrs. Ray, Pierce and W. J. Williams, the third; Messrs. Heady, Beall, Butler and Rudd, the fourth; the committee for courts of justice, the fifth; Messrs. Turner, Rodes and Speedsmith, the sixth; Messrs. Speedsmith, Hunton and C. Allan, the seventh; Messrs. Beall, Calhoon and Roberts, the eighth; Messrs. Ray, J. T. Morehead, Pierce and B. Smith, the ninth; Messrs. Guthrie, Grigsby and J. T. Morehead, the tenth; Messrs. J. T. Morehead, Ewing, Guthrie and Chambers, the eleventh; Messrs. McAfee, E. L. Johnson and Tomlinson, the twelfth; Messrs. Rodes, Speedsmith and Turner, the thirteenth; Messrs. Rudd, Patton, Spalding, Beall, Dixon, Phelps, Grun-dy and Ewing, the fourteenth and eighteenth; Messrs. Tomp-kins, McAfee and Lewis, the fifteenth; Messrs. Burns, Chiles, Ward and Lackey, the sixteenth; Messrs. Haynes, Fowler and Whittington, the seventeenth; Messrs. Calhoon, Dixon and Dyer, the nineteenth; Messrs. Beall, Rudd and Grigsby, the twentieth; Messrs Phelps, Gaines and J. K. Marshall, the twenty-first; Messrs. Wilson, Curd and True, the twenty-second; Messrs. Turner, Stewart and Jackson, the twenty-third; Messrs. Patton, New and Haynes, the twenty-fourth; Messrs. Thomas, Chiles and Haynes, the twenty-fifth; Messrs. Burns, Ward and Cassidy, the twenty-sixth; Messrs. Yantis, Harris and Jackson, the twenty-seventh; Messrs. Crutchfield, B. Allen and Guthrie, the twenty-eighth; Messrs. Patton, Valandigham and Ewing, the twenty-ninth; and Messrs. Butler, McAfee and Sprigg, the thirtieth.

Mr S. Williams read and laid on the table, a joint resolution, fixing on a day for the final adjournment of the present General Assembly.

Mr. Guthrie moved the following resolution:

*Resolved*, By the House of Representatives, that the Door Keeper be authorized to procure, and cause to be put, curtains to the windows of the Representative Hall.

Which being twice read, was adopted.

Mr. J. T. Morehad read and laid on the table, a joint resolution, fixing on a day for the election of a Senator, to represent this state in Congress, from and after the third day of March next.

Mr. Ward read and laid on the table, a joint resolution, for appointing joint committees to examine the Auditor's, Treasurer's and Register's offices.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. Chiles—1. A bill to repeal an act entitled, "an act to amend the law in relation to opening and repairing the pub-

lic roads in certain counties, so far as the same embraces the county of Bath, and for other purposes."

By Mr. Butler—2. A bill to authorize the insertion of advertisements in the "Political Examiner and General Recorder," and in the "American" and "Union."

By Mr. Heady—3. A bill for the benefit of the clerk of the Spencer circuit court.

By Mr. Rodes—4. A bill to incorporate the Madison Library Company.

By Mr. Beall—5. A bill to amend the duelling law—and

By Mr. Thomas—6. A bill for the benefit of the sheriffs of Bath and Montgomery counties.

Which bills were severally received and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of said bills having been dispensed with, the first, second, third, fourth and sixth, (the third having been amended,) were severally ordered to be engrossed and read a third time; and the fifth was committed to the committee of courts of justice.

And the rule of the house, constitutional provision, requiring bills to be read on three several days, and third reading of the first, second, third, fourth and sixth bills having been dispensed with, and the same having been engrossed:

*Resolved*, That the said bills do pass; that the titles of the first, second, fourth and sixth, be as aforesaid; and that of the third be amended to read, "An act for the benefit of the clerk of the Spencer circuit court, and the clerk of the circuit and county court of Clay."

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

A message from the Governor, by Mr. Crittenden, his Secretary:

*Mr. Speaker*—I am directed by the Governor to lay before this House a message in writing.

And then he withdrew.

The said message was then taken up and read, as follows, viz:

*Gentlemen of the Senate  
and of the House of Representatives:*

DURING the late recess of the Legislature, we have had renewed cause of gratitude to God, for the abounding mercies with which we have been continually surrounded; in the general health of our fellow-citizens; in their increasing order and tranquillity; in the entire confidence which seems to be reposed in a co-ordinate branch of the Government, about which, with great deference it may be said, there had been, from some unaccountable delusion, considerable diversity of opinion; in the civil and

religious privileges which we have enjoyed; in our exemption from the infuriated passions and bloody struggles, by which other nations, in other hemispheres, have been agitated and afflicted, and in the fruitfulness of the past season, which, although it has not filled our barns to overflowing, as has been usual in this land of plenty, has been sufficiently productive, to supply all our wants.

With a firm reliance on the goodness of Divine Providence, for the continuance of these beneficent dispensations, I greet the immediate Representatives of the People, upon their annual assemblage at the seat of their deliberations for the public good, and pledge myself earnestly to co-operate with them, in such measures as may tend to promote that desirable object.

Any attempt on my part, to furnish in detail, an expose of the accounts of the Treasury, would be superfluous; as the books of that department will be subject to your more minute and critical examination. It is deemed sufficient to remark, that according to the estimate of the Auditor of Public Accounts, the amount received into the Treasury, during the year ending on the 10th of October, 1830, is one hundred and eleven thousand one hundred and two dollars, three cents. And the amount of debts due from the Government, added to the estimated expenditure for the same year, is two hundred and forty-three thousand four hundred and thirty-three dollars, and thirty-five cents—thus leaving a balance against the government, at the close of the year, amounting to one hundred and thirty-two thousand three hundred and thirty-one dollars and thirty-two cents.

For a country abounding in resources, as this does, and under a government proverbial for its rigid economy in expenditure, is it not remarkable that there should be an annual increase of the deficit in the Public Treasury?

If a judicious and timely movement is not made on the part of the Legislature, gradually to check the growing evil, how long will it be before their successors will, from indispensable necessity, have to lay the hand of taxation with oppressive weight upon their constituents?

There are those, I know, who rely much on our stock in Bank to meet the exigencies of the government—a hurtful delusion, I fear, should it even be the disposition of the Legislature so to apply the funds of that institution.

For although in the two Banks, the amount of stock, as reported, is seven hundred and eighty-one thousand two hundred and thirty eight dollars and sixty-three cents, it can hardly be considered as a safe and permanent resource, for the support of government.

Judging of the future from the past, of the unknown from what we do know, respecting the Bank of the Commonwealth, its failures, defalcations and robberies, how can we, the constituted guardians of the rights of the people, any longer confide in the integrity, or in the faithful man-

agement of such an institution? For although the withdrawal of the branches and the destruction of the paper may, in some degree, operate as a safeguard against negligence or misconduct in future, we have yet to learn the extent of the evil resulting from defalcations and other wrongs already committed.

It is in the discharge of an unpleasant, but an indispensable duty, that I would respectfully make the suggestion, whether it is not expedient to throw additional guards around this all-contaminating institution. The moral sense of the community is not extinct, although it has not yet been roused into action. We act under the highest responsibility to that community. We are aware of the treachery of some of its agents. We owe it to our constituents, as well as to the Bank agents themselves, to draw a line of distinction between the faithful and the faithless; and, furthermore, to ascertain, as nearly as we can, what amount of our Bank funds may be estimated as *available* now, or hereafter. With these objects in view, will it not be well to require a report, in which shall be set forth the debts which may be considered as unquestionably good, the doubtful, and the desperate? Let us no longer be told of the indelicacy of exposing *Bank secrets*. Where all is sound, there will be no shrinking from exposure. It is the Bank of the people, and therefore, where it is not sound, the people and their representatives ought to know it.

Permit me again to call to the attention of the Legislature, the subject of the militia. From observation and experience within the last two years, I am more than ever confirmed in the opinion, that the number of persons held to the performance of this duty ought to be reduced. Under a peace establishment, of what possible benefit is it to the community that all our male citizens should be compelled to attend these mock parades for the term of *twenty-seven* years? A gradual reduction may be effected, by fixing on the ages from twenty-one to forty, as the term of enrolment. There is no efficiency in the present unwieldy system, and never will be. We shall never *arm* or *discipline* this vast multitude. Nor is it desirable, if we had the power, that we should exercise it.

No argument need be offered on the subject; you are among the militia, and are fully aware of the fact, that the country derives no benefit whatever, either from the number of musters, or from the number of citizens who are compelled to attend them; on the contrary, it occasions a considerable loss of time from the ordinary pursuits of life, for which society receives no equivalent. It is confidently believed that to render the system efficient and useful, the basis of enrolment should be fixed at from *twenty-one* to *thirty-five* years, or even for a less term. But a gradual reduction may be the most salutary. In times of war, an expansion of the system will be attended with no inconvenience whatever.

Under the provision of an act of the last Legislature, incorporating the Maysville, Washington, Paris and Lexington Turnpike Road Company, the

whole amount of stock therein designated for the subscription of individual stockholders and of the Commonwealth, was subscribed soon after the promulgation of the law.

For the purpose of obtaining a subscription of stock on the part of the United States to the amount specified by the act, a copy thereof was transmitted, without delay, to each of our Senators and Representatives in Congress; thus calling their attention to this interesting and important subject, and to enable them to act with a full knowledge of the course of the state legislation upon it.

A part of our Representatives, acting in obedience to the well known wishes of the people and Legislature of Kentucky, with the aid of other distinguished friends of the Union, of internal improvements, and of the laboring portion of the community, succeeded in passing through both branches of Congress, a bill authorizing a subscription of one hundred and fifty thousand dollars, the feeble and hesitating support of one of our Senators, and the opposition of the other, notwithstanding.

In this act of Congress, we have the most gratifying evidence of a disposition on the part of *that body*, to render impartial justice to all parts of our common country. Standing upon a lofty eminence, the enlightened representatives of the people failed to make the discovery, that a great leading mail road loses its national character, because a part of it "lies exclusively within the limits of a State;" and that bill, which you had, by a solemn act of legislation, solicited, involving a vital principle of the prosperity of this nation, has fallen by the *Veto* of the President, although himself "sincerely friendly to the improvement of our country by means of Roads and Canals;" yet surrounded by a cabinet and confidential friends, in part hostile to the only mode in which that great object ever can be effectually and extensively accomplished.

I shall not attempt here to discuss the constitutional power of Congress to make or construct public roads. It would surely be an useless labor. The State of Kentucky, by legislation in all its solemn forms, and by resolutions equally solemn, has asserted and reasserted that power, and declared that principle with almost entire unanimity.

The Congress of the United States, by many acts, has claimed the power and carried it into practice, with the sanction and recorded votes of the President, he then being a member of that body. With you, then, the question is no longer an open one. It rests securely upon authority.

That consideration I shall then waive, and look for a moment upon the effect which this act of the President has had, and is to have, upon the country, and upon the Company and State immediately concerned.

It has involved the Company in great embarrassment; put in jeopardy the stock subscribed by the State, and while it blights with its chilling breath, the opening prospects of social and commercial intercourse among the citizens of the interior, it falls with a dead and sullen weight upon the

laboring classes of the whole community. For if this and the Rockville road, (which is indeed but a part of the same,) are "local, not national" then all the roads in the Union are local; none are national, and the whole system of internal improvement is forever at an end. No honest man of the least intelligence will pretend to entertain even a distant hope of amending the Constitution, so as to give the power which we contend is already conferred by that instrument; and no republican can, for a moment, contend for the principle that a minority, consisting of but little more than one-fourth of the people and of the States of this confederacy, shall, by their construction of the constitution, or views of policy, forever control the action of this government, against the sentiments and wishes of a majority of nearly three to one.

And yet these are the two horns of the dilemma presented to the advocates of the Veto Message—such of them at least as profess to be in favor of this policy; for they know that more than one fourth of the States are opposed to that *policy*, and consequently will never agree to an amendment of the Constitution, to remove objections, upon which they profess to rely as sustaining their opposition. With a full and perfect knowledge of these incontrovertible facts, how soothing it must be to the feelings, and how complimentary to the intelligence of a majority of *less than eighteen States*, to have it graciously suggested to them, that their object can be effected by proposing an amendment to the Constitution!

About five years since, as the great Western Turnpike approached Zanesville in Ohio, numerous petitions and memorials signed by the citizens of that State and of the State of Kentucky, were presented to Congress, praying an extension of the road, from that point, through Chillicothe, Maysville, Lexington and Nashville to Florence in Alabama; but the route had not yet been surveyed. Success could not be expected before this was done, and a favorable report thereupon made by Engineers on the part of the United States. Members of Congress from Alabama, Tennessee, Kentucky and Ohio, united in a petition to the Secretary at War, to appoint Engineers for the discharge of that duty. This first application to the Secretary failed of success, all the Engineers being otherwise employed.

The next succeeding Legislature of Kentucky passed an act of incorporation, and unanimously adopted resolutions *instructing* their *Senators* and *requesting* their *Representatives* to use every exertion in behalf of the measure. Accordingly, another application was made to the Secretary, strengthened by the act and resolutions of Kentucky. Engineers were appointed, who, in 1827, made a reconnaissance of the road from Zanesville to Florence; and in the spring of 1828, made an able and lucid report thereupon, clearly demonstrating the contemplated road to be practicable, useful and national. Thus encouraged, the last Legislature again took up the subject, and as a manifestation of the deep interest so generally felt in favor of a speedy construction of that part of the road embraced by the

act of incorporation, authorized a subscription of stock on the part of the State, and on the part of individuals, *to aid the General Government* in the performance of a work, every part of which ought to have been made, as is the practice in other cases, entirely *at the expense of the latter*, not by way of a stock investment, from which to derive a revenue, but simply for the general good; at most, deriving no toll therefrom, except to repair the road. But here we were willing to aid in the construction of this part of a great national work, upon any plan, that it might be the pleasure of Congress to unite in. Besides the incalculable advantages expected to result to our own citizens, and to this confederacy, from the contemplated extension of this great leading mail road from Lexington, through Nashville, to Florence, which passes through a central and delightful portion of our State, the road from Maysville to Lexington, and from that point to Louisville, passes through an extensive region of land not inferior in fertility to any perhaps upon this great continent; abundant in production, the vast excess of which, beyond the demand of home, can alone find vent through the Ohio river to distant markets. The surplus productions of this country are necessary to our Southern brethren; whilst we are scarcely less dependent upon them for the growth of their softer climates. All these articles of reciprocal demand and necessity must pass over this highway; and that too, at a period of the year presenting the greatest possible difficulty. This is an evil of the best of times. I turn to one of far deeper moment.

We are now at peace with all nations. We cannot expect always to continue so. The history of man admonishes us that wars must come, with all their blood, and all their demoralization. Even yet we are agonizing under the recent flight of the demon over our land.

Central in our position, we shall not be called to meet the conflict on our own borders. But we shall not sit still in the peace of our own dwellings when our brothers are in the battle. We shall do as we did before.—We were honored in the battles of the North. We were not disgraced in those of the South, although our flight is now recorded on the page of history.

Over this high-way, whether we go to the North, or to the South, we must march. Over this road must nearly all the provisions and munitions of war, which our State may contribute, pass. It would be hazarding nothing, to say, that the excess of the cost of transporting provisions and other articles, over this road, for the use of our armies, during the late war, over what it would have been on a good Turnpike, would have constructed the road. This is a fact which we know; for we saw and felt it.

The United States mail traverses the road between Maysville and Louisville at the rate of more than one hundred thousand miles a year. Upon this road, or a part of it, the United States' mail passes daily, from the eastern, middle and some of the southern states, to those of the west, and from the latter to the former. Should this road be completed without

the aid of the general government, the cost to the mail contractors, for leave to pass the toll gates with their stages and passengers, will be at least \$10,000 a year; and this sum must in the end be paid out of the National Treasury, which will receive no indemnity for the disbursement. This road has a direct connexion with the Virginia Turnpike, as well as with the great Western Turnpike through the State of Ohio; and crossing the Ohio river, as it does, at the two points mentioned, it is connected directly with all the canals now in progress, and hereafter to be made, from this river to the lakes, as well as with the Baltimore rail road.

The joint treasure of the nation has, in numerous instances, been employed in making roads, and in the removal of obstructions to the navigation of rivers and creeks, "exclusively within the limits of a state." The public lands have been given to make canals, "exclusively within the limits of a State," and in several instances, appropriations have been made from the National Treasury, for subscriptions of stock to make canals but a few miles in length;—and all those measures have been generously and liberally supported by the people of Kentucky and their Representatives. In their turn, they have presented, for Congressional aid, the only object upon which they can hope to receive it,—an object of scarcely less importance to their enterprising brethren of other States, than to themselves. Congress concedes the justice of her claim, and votes for the appropriation required:—the President withholds it, although he has, in various instances, given his sanction to the measures before referred to. How subtle the mind that can discern traces of a national character in those measures, and that the road under consideration is destitute of that character.

But aside from the veto and the change of policy which it must inevitably force upon Kentucky and on the Union, the immediate question presented to our consideration, is, how are we to proceed in the performance of a work so greatly beneficial to the nation as well as to ourselves, which we had commenced under more favorable auspices, confiding in the justice of our common country to strengthen our hands? The road from Maysville, through Lexington, to Louisville, may well be considered as the great thorough-fare of Kentucky. The two companies are nobly struggling to accomplish the objects of their incorporation.

A subscription of stock to each company has been made on the part of the State, to the extent of the Executive authority. In the counties of Mason, Bourbon and Shelby, the work progresses as rapidly as could reasonably be expected.

But if not aided by the Legislature, their strength will soon be exhausted. It is well understood, that a road turnpiked in various detached places, with extensive intervals between, *not even graded*, is worse than no Turnpike at all. It increases the taxes upon all our exchangeable commodities.

The loading of wagons must be regulated, not according to the weight

that might be drawn over the Turnpike,—but with an eye exclusively directed to the *hills* and *mud* that occasionally intervene; and this road is known to be impassable for a considerable part of the year, even by an empty wagon.

I cannot then, do otherwise than to recommend this great high-way to the favorable consideration and patronage of the Legislature. In doing so, I would not be understood as loosing sight of other leading roads, in which extensive portions of our State, may be immediately interested. All cannot be made at once. The representatives from the different sections of the State will, at the proper time, point them out, and in me, whether in my official, or in any other capacity, they shall never want a sincere and an ardent friend; for I still maintain the doctrine, that a revenue raised upon property, under the equalizing system, and judiciously applied to the improvement of the country, never was, and never will be, oppressive to any community. Improvements so made, enhance the value of all the property in the country and furnish employment for the poor, with an increased price for their labor.

If upon examination it shall appear, that the Treasury cannot be relied on to furnish the means of improving the country, and it should be the pleasure of the Legislature to authorize a loan to be procured to aid the companies now incorporated, in the completion of the work which has been commenced, and to assist other companies who may desire to unite their capital in making similar improvements, it will receive the most cordial co-operation, and elicit all the energies of the Executive, to carry the plan into successful operation.

To these imperfect suggestions, much might be added, but your intelligence will supply the deficiency. None can doubt the importance of the work to us, and to an extensive portion of the nation. We may carry on this good work, and in time we may accomplish it. Kentucky can do much. She has great resources, and great energies; yet in the veto message, I think I see much to deplore. In it, I clearly see the prostration of one of the best and most beneficent principles of the constitution,—the loosening of one of the strongest ligaments of our Union,—the paralysis of that strong hand which alone is able to accomplish the great and noble end of keeping this wide spread and growing nation *one and indivisible*, by the associating and fraternizing powers and influences of internal improvement. If my interpretation of the *oracle* be right, instead of an active, efficient, beneficent principle, rich in utility, teeming with human happiness, nothing is left but a mere abstraction, vain and unprofitable.

We may, and do, deplore it; but the fact cannot be disguised, that we have arrived at a crisis in our political affairs, when Kentucky *must, in self-defence*, take her stand—a cold and heartless, if not unpatriotic, anti-internal improvement and anti-tariff State. She must hereafter resist all appropriations from the joint treasure of the nation, for objects “exclu-

sively within the limits of a State;" no matter whether it be roads or canals, the removal of Indians, or to build fortifications. How is Kentucky to prosper under a system of taxation, in which there is no reciprocity of expenditure? In the support which she has hitherto given to the American System, she has never been influenced by narrow, sectional, or selfish views. She has acted upon principles purely national. As an integral part of the nation she mourns over the blighted prospects of thousands of the American people, and deeply laments the blow which has been so successfully aimed at the destruction of American skill, labor and capital, to favor foreign labor and foreign capitalists, and, in the end, to bring this great nation to a state of degrading and servile dependence on foreign powers, for the necessaries, comforts and elegancies of life. But she will have the poor consolation to know, that in a sectional point of view, she will *suffer less* under this meditated change of policy, than the most of her sister States, and she will enjoy the proud and soothing reflection, arising from the fact, that she has not been instrumental in bringing those evils upon them, or upon herself.

Remotely as we are situated from the inhabitants of the old world, with the waves of a mighty ocean forever rolling between us, we feel, but slightly, their hostile or revolutionary struggles, when confined among themselves. But the deep and unaffected interest which we feel for the great cause of human liberty, and for the advancement of our own free principles of government, has awakened all our sympathies, and enlivened all our sensibilities to the recent events in Europe—accounts of which have reached us in such rapid and wonderful succession. And that interest has been greatly increased, in consequence of the conspicuous and glorious part which has been taken in those events, by the most renowned and venerable man now in existence—the illustrious friend of this republic, himself a republican. A new era seems to have burst upon the world. Protestant England and Catholic France are at one and the same time breaking the fetters, which for many centuries had been rivited upon the freedom of mind. That foul blot upon the mild and benevolent religion which they profess—the *National Church*—is in a fair way, as we may fondly hope, to fall, never to rise again. After the fall of those corrupt establishments, by which the minds and bodies of so great a portion of the human race have been so long enslaved, who can say that the "Divine right" of Kings to rule, will be much longer tolerated or endured? If France has a Monarch, he is a Monarch of her choice. The hereditary claim is extinct. May we not reasonably look to the existing state of things in Europe as unerringly indicative of the universal amelioration of the condition of mankind?

The corrupt union of Church and State—of the Priesthood with hereditary Monarchs and nobles—may be difficult to overthrow; the conflict may be terrible; a general war in Europe may possibly precede any firm estab-

tablishment of the glorious principles which we so fondly anticipate; but without the aid of *bayonets*, the frail dominion of ignorance, superstition and tyranny, cannot long resist the spirit of improvement of the age, if directed by intelligence and truth. Should these anticipations be realized, the interest of this nation, as well as its duty, will be best consulted by a course of strict neutrality. And, under this state of things, we may, providentially, continue for a time to flourish and prosper as a people, the insidious but well aimed and fatal blow which has been struck at the principles of the whole American System, notwithstanding.

Struggling, as we are at this moment, under the exercise of abused power, by which the government of a mighty and free people, contrary to the firmly established principles upon which the republic rests for its support, is put under the control of a *minority*; and beholding as we do, the moral depravity, and political degradation of those who shift and change their own professed opinions, to sustain the oppressor, and through him to find their way to the National Treasury, there to banquet, as the most of them have been accustomed to do, on the fruits of the labor of others, and to riot in the means which should have been employed in the improvement of the country,—we are bound to regard the present as a time of trial and suffering. But the injury is evanescent, and will soon pass away. We have no good reason to despair of the Republic. Compare our condition with that of other nations, and our hearts must overflow with gratitude to the great author of all good, for the unnumbered blessings which we continue to enjoy, and above all, for the *power* which yet remains in the hands of that portion of our intelligent fellow-citizens, who have no motive for its exercise but to promote the public weal.

### THOMAS METCALFE.

DECEMBER 7th, 1830.

*Ordered*, That the Public Printers forthwith print fifteen hundred copies of said message, for the use of the members of this House.

And then the House adjourned.

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WEDNESDAY, DECEMBER 8, 1830.

1. Mr Ray presented the petition of Eleanor Joslin, praying that a law may pass, to legalize a sale made by her, of a tract of land, belonging to the estate of her deceased husband, authorizing her to make a conveyance to Abraham Wood, for said tract of land.

2. Mr. Dawson presented the petition of Alsey Cheston, praying a divorce from her husband, William Cheston.

3. Mr. Dawson presented the petition of Elizabeth Shields, praying for a divorce from her husband, John Shields:

4. Also, the petition of Thomas Neale, praying for a divorce from his wife, Hester Neale.

5. Mr. Barlow presented the petition of sundry citizens of Monroe county, praying that a law may pass, authorizing S. M. Williams to build a mili-dam across Barren river.

6. Mr. Churchill presented the petition of sundry citizens of Jefferson county, praying that a law may pass requiring the Louisville and Portland Canal Campany to erect a permanent bridge a cross said canal.

7. Mr. Russell presented the petition of Margaret Peyton, widow and relict of William Peyton, deceased, praying that a law may pass, authorizing her to sell a tract of land, which belonged to her late husband.

8. Mr. Patton presented the petition of sundry citizens of Christian county, praying that a road may be established from Hopkinsville to Waidshoro', by the way of Cadiz, Canton, &c. to Pentecost's ferry.

9. Mr. Hunton presented the petition of Samuel Blain, praying that a sum of money paid by him, as per centage on the tax on a tract of land, belonging to a non-resident, but which was entered by him for taxation with the commissioner of his county, may be refunded.

10. Mr. S. Williams presented the petition of the heirs of James McCollom, deceased, praying that a law may pass, authorizing the Register of the Land Office to issue to them a patent for a tract of land in Wayne county, and cancel a former patent, issued to them for the same land, on a certificate of survey, which is found to be erroneous.

11. Mr. Dixon presented the petition of Flora N. E. Harding, praying that a law may pass, authorizing her to retain the possession of her child, by Albert Harding, her husband, who has abandoned her since its birth.

12. Mr. Valandigham presented the petition of William Cook, jailor of Grant county, praying compensation for keeping Eleanor Lale, who was confined in the jail of said county on a charge of felony, and during her confinement, was taken dangerously ill.

13. Mr. Rodes presented the petition of Thomas Turner and C. H. Taylor, praying that a law may pass, authorizing them to erect gates across a certain road in Madison county.

14. Mr Yantis presented the petition of Mary Denton, praying a divorce from her husband, Josiah Denton.

15. Mr. Yantis presented the petition of sundry citizens of Garrard county, praying certain amendments to the militia law.

16. Mr. Yantis presented the petition of Reuben Thomas,

praying the passage of a law, authorizing him to sell a negro woman slave, belonging to his ward, John Thomas.

17. Mr. P. Morehead presented the petition of sundry citizens of Logan county, praying that an appropriation may be made out of the public Treasury, to improve the navigation of Muddy river.

18. Mr. Anderson presented the petition of William Parker, praying a divorce from his wife, Pamela.

19. Mr G. W. Williams presented the petition of John Hawkins' heirs, praying that a law may pass, authorizing the sale of a tract of land, belonging to said decedant's estate.

20. Mr J. T. Morehead presented the petition of the communities of Shakers, praying the repeal, or modification, of an act of Assembly entitled, "an act to regulate civil proceedings against certain communities, having property in common."

21. Mr Beall presented the petition of sundry citizens of Nelson county, praying an appropriation out of the public treasury, to aid in removing the obstructions to the navigation of the Beech Fork of Salt river.

22. Mr Barlow presented the petition of James C. Rush, praying the passage of a law, authorizing him to sell and convey a tract of land, which descended to his child, from his grandfather, Peter Stephens.

23. Mr Burns presented the petition of Elizabeth Fannin, praying a divorce from her husband, Joseph Fannin.

24. Mr Colyer presented the petition of John Hall, praying a divorce from his wife, Ruth Hall.

25. Mr S. Williams presented the petition of sundry citizens of Pulaski and Wayne counties, praying the addition of a part of Pulaski county to the county of Wayne.

26. Mr Haynes presented the petition of Reuben Rowland, praying additional compensation, as cashier of the branch bank of the Commonwealth at Princeton.

27. Mr Patrick presented the petition of sundry citizens of Clay county, praying the passage of a law, authorizing James Lewis to build a mill-dam across the North Fork of the Kentucky river.

28. Mr. Patrick presented the petition of Jeremiah Combs, praying the passage of a law authorizing him to build a slope to his mill-dam on the North Fork of Kentucky river, and to confirm the order of the Perry county court, establishing the same.

29. Mr Speedsmith presented the petition of sundry citizens of Madison county, praying the repeal of a part of the militia law.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, seventh, tenth, sixteenth,

nineteenth, twentieth and twenty-second, to the committee for courts of justice; the fifth, eleventh, twenty-fifth, twenty-seventh and twenty-eighth, to the committee of propositions and grievances; the twelfth and twenty-sixth, to the committee of claims; the second, third, fourth, fourteenth, eighteenth, twenty-third and twenty-fourth, to the committee of religion; the sixth, eighth, seventeenth and twenty-first, to the committee of internal improvements; the fifteenth and twenty-ninth, to the committee on military affairs; the ninth, to a select committee of Messrs Hunton, Turner and Love; and the thirteenth, to a select committee of Messrs Yantis, Harris, Jackson and Rodes.

Leave was given to bring in the following bills:

On motion of Mr Thomas—1. A bill for the benefit of the securities of Edward Stockton, late cashier of the Mountsterling Commonwealth's Branch Bank.

On motion of Mr. Churchill—2. A bill to amend the law concerning election precincts in Jefferson county.

On motion of Mr. Spalding—3. A bill to improve Muldrow's hill, on the road leading from Lexington to Nashville.

On motion of Mr James—4. A bill to reduce the price of the vacant lands, west of the Tennessee river, to actual settlers.

On motion of Mr Turner—5. A bill to amend the law of descents, and for the distribution of intestates' estates.

On motion of Mr Calhoun—6. A bill to amend the several acts in relation to ferries, and for other purposes.

On motion of Mr Lackey—7. A bill for the benefit of James Honaker, of Pike county.

On motion of Mr D. White—8. A bill to add one additional term to Anderson circuit court, for the year 1831.

On motion of Mr Phelps—9. A bill to amend an act, passed the 29th day of January, 1829, incorporating the Kentucky and Ohio Bridge Company.

On motion of Mr S. Williams—10. A Bill to pay off the deficit in the treasury, by allowing the treasury a credit in the Commonwealth's Bank, for the amount borrowed of said bank.

On motion of Mr Colyer—11. A bill to amend an act entitled, "an act to provide for the erection of two bridges across Rockcastle River, approved Jan. 29, 1830."

On motion of Mr Roberts—12. A bill to authorize the county court of Hardin county, to appoint one additional constable for said county, to reside in the first constable's district.

On motion of Mr. Heady—13. A bill to amend an act to incorporate a company to build a bridge across salt river, at the town of Taylorsville, approved January 29, 1830.

Messrs Thomas, J. T. Morehead, C. Allan, Chambers, Guthrie and Love, were appointed a committee to prepare and bring

in the first; Messrs. Churchill, Robb and Guthrie, the second; Messrs Spalding, Girton, Grundy, Rudd, Beall and W. N. Marshall, the third; Messrs. James, Murray, Fowler, Patton and Norvill, the fourth; Messrs. Turner, C. Allan and Speedsmith, the fifth; the committee for courts of justice, the sixth; Messrs Lackey, Burns and Ward, the seventh; Messrs. D. White, McAfee, Butler and Whittington, the eighth; Messrs Phelps, Guthrie and Gaines, the ninth; Messrs S. Williams, Ray, Pierce and B. Smith, the tenth; Messrs. Colyer, Jackson and Speedsmith, the eleventh; Messrs. Roberts, Helm and Calhoon, the twelfth; and Messrs. Heady, Rudd, Beall and Guthrie, the thirteenth.

A message from the Senate by Mr Wingate:

*Mr. Speaker*—The Senate have appointed a committee, consisting of five members, to act as a committee of enrolments, on the part of that body, during the present session.

And then he withdrew.

Mr. Ray moved the following resolution:

*Resolved*, That so much of the Governor's message as relates to the militia, be referred to the committee on military affairs; also, so much as relates to the Commonwealth's Bank, to the committee of ways and means; also, so much as relates to internal improvements, to the committee on internal improvements.

Which being twice read, was adopted.

The Speaker laid before the House, the annual Report of the Auditor of Public Accounts, exhibiting the state of that office, on the tenth day of October last, which is in the following words:

STATE OF KENTUCKY, }  
AUDITOR'S OFFICE, }  
*Frankfort, Dec. 8, 1830.*

SIR—

You will please lay before the House of Representatives, the accompanying statements, comprising my annual report,

And oblige,

Yours, respectfully,

P. CLAY, *Aud. Pub. Accounts.*

J. J. CRITTENDEN, Esq.

*Speaker of the*

*House of Representatives.*

**No. 1.**

*A statement of moneys received and paid at the Treasury, for the year ending on and including the 10th day of October, 1830, to-wit:*

**Bank Stock Fund—**

On lands granted under the acts of 1795, 6, and 1800, (denominated head-right lands,) \$ 276 67
Ditto under the acts of 1815, 20 and 25, de- nominated land-warrants, 2,823 85
Ditto under the several acts for encouraging the manufacture of salt, 63 30
\$3,163 82

**Non-residents' Lands—**

Taxes received on, 2,066 62

**Sale of Warrants—**

To be laid on forfeited lands, 12 60

**Lands West of Cumberland river—**

Sale of warrants to be laid on lands in the State of Ten- nessee, under act of Assembly passed in 1824, and the amendatory acts thereto, 201 50

**For Revenue collected by Sheriffs—**

Amount collected by sheriffs, and paid into the Treasury for the year 1828, \$ 57 18
Ditto. Ditto 1825, 49 71
Ditto. Ditto 1827, 779 00
Ditto. Ditto 1828, 62,109 21
Ditto. Ditto 1829, 3,314 28
66,309 33

**For Revenue collected by Clerks &c.—**

Amount received by clerks of the circuit and county courts, (and paid into the Treas- ury) on law process, deeds, seals, &c.; in- cluding also the amount of taxes received by the clerks of the Court of Appeals and General Court, 11,220 54
Fees received by the Register of the Land- Office, 860 01
12,080 55

**Bank of the Commonwealth of Kentucky—**

For the nett profits of said institution, received as revenue, from the 10th day of October, 1828, to the 10th day of October, 1829, (no report made since said date,) 15,213 44
Dollars, 99,047 91

(Amount forwarded,)

(Amount brought forward,) \$99,047 91
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*Lands West of Tennessee river—*

For the sale of lands west of the Tennessee river, 16,479 50
--

*Miscellaneous Receipts—*

Taxes received on residents' lands, sold to the state, &c. 49 18
--

Received from the Treasurer of the town of Columbus, for the sale of lots, 546 74
---

Received from the Bank of Kentucky, for the distribution of stock (in Commonwealth paper,) 14,917 50
--

Received from the Agent of the Kentucky Penitentiary, for the collection of debts, 92 53
--

Total amount received by the Treasurer for the year ending on and including the 10th day of October, 1830, (in Commonwealth's paper,) \$131,133 36
--

<i>Specie</i> —Received from the Bank of Kentucky, for the distribution of stock, \$14,917 50
---

*PAID—(Commonwealth's paper.)*

Warrants reported to have been paid by the Treasurer, from 10th October, 1829, to 10th October, 1830, \$145,172 31
--

Stock subscribed in the Bank of the Commonwealth of Kentucky, during same period, 14,917 50
---

Making a sum paid of Balance due from Government on the 10th October, 1829, \$160,089 81
--

54,465 61
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Making the whole debit, From which deduct the amount received, as enumerated above, \$214,555 42
--

131,133 36
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Balance due from Government on the 10th October, 1830, \$83,422 06
--

*(Specie.)*

Stock subscribed in the Bank of the Commonwealth of Kentucky, \$14,917 50
---

Warrants reported to have been paid by the Treasurer, 790 60
--

Balance in the Treasury on the 10th day of October, 1829, Total paid, \$15,708 10
---

\$790 60
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Amount received during said period, as stated above, 14,917 50
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Making, \$15,708 10
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There still remains in the Treasury, in Illinois money, \$20 00
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**No. 2.**

A statement of warrants drawn by the Auditor of Public Accounts, on the Treasurer, from the 11th day of October, 1829, to the 10th day of October, 1830, inclusive; shewing the amount drawn for each source of expenditure, and also the amount of warrants paid and unpaid during said period, viz:

**Jailors—**

Committing and releasing criminals,	\$ 148 54
Diting ditto,	4,722 46
Ironing ditto,	1 00
Attendance on court, furnishing fuel, water, &c.	2,743 82
	<hr/>
	\$7,615 82

**Executive Offices—**

For stationary, fuel, &c. furnished the Land-	
office,	\$674 30
Ditto Secretary's office,	584 23
Ditto Auditor's office,	546 31
Ditto Treasurer's office,	245 48
	<hr/>
	\$2,050 37

**Public Printers—**

For advertising list of non-residents' lands, for forfeiture,	30 25
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**Distributing Acts and Journals—**

December Session, 1829,	253 00
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**Criminal Prosecutions—**

Coroners, summoning venires,	\$ 12 00
Ditto attending court,	24 00
Attendance of witnessess,	2,751 83
Attendance of veniremen,	4,056 00
Constables, apprehending criminals,	1,367 00
Ditto whipping ditto,	83 04
Ditto summoning witnesses,	299 83
Ditto conveying criminals to jail,	178 66
Sheriffs, summoning venires,	413 04
Ditto ditto witnesses,	519 99
Ditto ditto jurors in cases of idiocy,	119 81
Ditto executing process of contempt,	419 27
Ditto apprehending criminals,	304 00
Ditto whipping ditto,	3 89
Ditto executing ditto,	26 05
Ditto conveying criminals to Penitentiary,	1,484 99
Ditto ditto to jail,	355 11
Ditto conveying papers from one county to another, under special act,	8 60
Ditto attending courts in place of jailor,	16 00
Guards, (guarding criminals in jail, to jail, and to the Penitentiary,)	2,553 36
Elisors attending courts,	36 00
	<hr/>
	15,027 47

**Contingent Expenses—**

Repairing of public buildings,	\$259 20
Witnesses attending court of Appeals,	10 17

\$ 269 37      \$24,976 91

(Amounts forwarded.)

[DEC. 8.

	Amount brought forward,	\$ 24,976 91
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*Contingent expenses—(continued.)*

	Amount brought forward,	\$ 269 37
Stationary furnished the Receiver of Public Moneys West of Tennessee river,	4 00	
Expenses of ditto while attending to public business,	24 62	
Salary of ditto,	200 00	
David Jones, for attending on public buildings,	17 37	
Mrs. Evans, for services rendered in preparing Acts &c. for distribution,	12 00	
A. C. Keenon, ditto,	50 85	
Stationary furnished Adjutant General,	56 00	
Register of the Land Office, for his commission on head-right lands sold to the state, the same having been redeemed,	126 49	
Blanks for Quartermaster-General,	31 58	
Advertising proposals to carry acts and journals of Dec. session, 1829.	10 00	
Storage on public arms,	8 76	
Tipstaff, attending General Court and Court of Appeals,	236 00	
Sergeant ditto, ditto,	486 81	

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\$1,533 85*Appropriations, December Session, 1829—*

To John Breathitt,	\$238 60
John J. Crittenden,	216 00
James Stonestreet,	510 00
Robert S. Todd,	510 00
Benjamin R. Pollard,	250 70
G. I. Johnston,	235 00
Anthony Crockett,	257 00
Mary Pedigo,	100 00
Porter Clay,	460 00
J. C. Coleman,	12 00
Joint committee to visit Transylvania University, Lunatic, and Deaf & Dumb Asylums,	108 67
John Goodman.	8 00
James Breathitt,	40 00
Thomas T. Crittenden,	20 00
Adam C. Keenon,	514 00
J. Batchelor,	39 16
H. Bartlett,	75 00
T. Huston,	20 00
John Woods, jun.	39 16
Preston S. Loughborough,	15 00
John Swingle,	116 00
Trustees of the Christian Academy,	500 00
John W. Semple,	55 00
Lunatic Asylum,	8,000 00
Appropriation to Capitol,	12,500 00

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\$24,889 29      \$26,510 76

(Amounts forwarded.)

	Amount brought forward,	\$26,510 76
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*Appropriations December session, 1829—(continued.)*

	Amount brought forward,	\$24,839 29
Garnett Duncan,	25 00	
A. G. Merriwether,	2,183 83	
J. Davidson,	70 00	
Reuben,	10 00	
H. Wingate,	218 75	
G. L. Bourland,	60 00	
J. Woods,	26 00	
L. Batchelor,	238 75	
Bacon and Johnson,	3 50	
Francis Scheckles,	50 00	
Joel Scott,	1,252 13	
J. W. Denny,	60 00	
J. H. Holeman,	30 00	
Dana and Hodges,	1,200 00	
Thomas Lewis and Minerva Laswell,	100 00	
Daniel,	10 00	
John M. Foster,	460 00	
A. C. Keenan and Wm. Wood,	10 00	
William Wood,	973 88	
		\$31,776 13

*Sheriffs, for Revenue—*

For amount of Revenue overpaid, 1828,	198 65	
Ditto, ditto, 1827,	56 28	
Ditto, ditto, 1825,	2 78	
Ditto, ditto, 1826,	14 62	
		272 38

*Slaves Executed—*

For slaves executed,	1,050 00	
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*Commissioners of Tax—*

Listing taxable property,	7,821 90	
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*Bridges—*

Across Rockcastle river,	(specie,) 1,000 00	
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*Attorneys—*

For services for 1819,	86 96	
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*Clerks' services—*

For record books furnished,	\$1,766 45	
Ex officio services,	3,380 00	
Commissioners' books copied,	2,540 75	
Presses furnished,	447 71	
Office rent for clerk of the Court of Appeals,	50 00	
Seals furnished,	6 50	
		8,191 41

—————  
\$76,209 49

(Amount forwarded.)

[DEC. 8.

	Amount brought forward,	\$76,209 49
<i>Military Expenditures—</i>		
Pay of Judge-advocates,	\$ 9 00	
"    Brigade Inspectors,	287 37	
"    Witnesses attendance,	3 16	
"    Provost Martial,	4 00	
Freight on public arms,	2 57	
	<hr/>	
	306 10	
<i>Lunatics—</i>		
Support of idiots,	10,049 72	
<i>Decisions of the Court of Appeals—</i>		
Balance on 5th volume,	\$ 966 00	
Amount of 6th do.	1,506 00	
In advance of 7th do.	350 00	
	<hr/>	
	2,822 00	
<i>Internal Improvements—</i>		
Balance of Appropriation, February, 1828,	563 91	
<i>Deaf and Dumb—</i>		
Kentucky institution for the tuition of the deaf and dumb, for the support of indigent pupils,	1,987 97	
<i>Money Refunded—</i>		
Fees paid into the Treasury for the benefit of the Attorney General,	360 00	
<i>Public Roads—</i>		
Pay of Commissioners on the road from Mt. Sterling to the Virginia line by the way of Prestonsburg,	116 00	
Ditto from Morgantown to Hartford,	57 75	
	<hr/>	
	173 75	
<i>Turnpike Roads—</i>		
Stock subscribed in the Maysville, Washington, Paris and Lexington turnpike road,	2,857 14	
Ditto, Shelby county turnpike road,	703 86	
	<hr/>	
	3,561 00	
<i>Sheriffs' comparing Polls—</i>		
For Congress,	552 51	
Senator,	99 79	
Governor and Lieutenant Governor,	9 50	
Electors,	7 50	
	<hr/>	
	669 30	
<i>Legislature, December Session, 1829—</i>		
Pay of members,	16,288 84	
	<hr/>	
	\$112,992 08	
	(Amount forwarded.)	

	Amount brought forward,	\$112,992 08
<i>Appropriations, December Session, 1828—</i>		
To William Woodson,		13 94
<i>Public Communications—</i>		
On letters sent and received by the Governor and Secretary,	\$ 297 60	
Auditor Public Accounts,	302 32	
Adjutant General,	8 46	
Quarter Master General,	93 83	
	<hr/>	
		702 21
<i>Salaries—</i>		
Of the Executive Department,	\$ 8,124 86	
Of the Judiciary,	<hr/> 19,922 33	
	<hr/>	
		28,047 19
<i>Attorneys—</i>		
Their salaries,		4,365 90
<i>Clerks—</i>		
For taxes overpaid,		5 15
Total amount of warrants issued from 10th October, 1829, to the 10th October, 1830,		<hr/> \$146,126 47
Warrants unpaid on the 10th October, 1829,		2,797 76
	<hr/>	
From which deduct warrants reported to have been paid by the Treasurer during the year ending 10th October, 1829, as in statement	Making a sum of	\$148,924 23
No. 1, (Com. paper,) \$145,172 31		
Ditto (in specie,) 790 60		
	<hr/>	
Total warrants paid,		\$145,962 91
Leaving a balance of warrants unpaid on the 10th day of October, 1830, viz:		
Commonwealth's paper, \$2,751 92		
Specie, 209 40		
	<hr/>	
Making,		\$ 2,961 32

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## No. 3.

A statement of debts due to Government, on the 10th day of October, 1830, to-wit:

## Of the Revenue collectable by Sheriffs—

For the year	1793	\$ 104 06
Ditto	1794	138 61
Ditto	1796	1,805 36
Ditto	1798	101 36
Ditto	1799	217 25
Ditto	1800	172 26
Ditto	1802	31 99
Ditto	1803	1,662 21
Ditto	1806	613 26
Ditto	1807	279 43
Ditto	1809	48 58
Ditto	1811	52 44
Ditto	1815	10 26
Ditto	1817	754 54
Ditto	1819	942 86
Ditto	1820	472 30
Ditto	1821	2,044 02
Ditto	1823	576 86
Ditto	1824	578 86
Ditto	1825	1,010 58
Ditto	1826	24 70
Ditto	1827	25 53
Ditto	1828	207 30
		\$11,874 62
Debts receivable,		7,127 84
Tax on bank stock, (independent banks,)		1,105 06
Clerks, for taxes,		6,419 78
Turnpike Roads,		3,561 00
Loans to the Penitentiary,		58,673 57
Treasurer town of Columbus,		1,473 85
Total amount of debts due to Government on the 10th day of October, 1830,		\$90,235 72

## Bank Stock—

Owned by the state in Bank of Kentucky, on the 10th day of October, 1830,	\$208,845 00
Ditto in the Bank of the Commonwealth of Kentucky, (Com'th paper,) \$557,476 13	
Ditto Ditto (specie,) 14,917 50	
	572,393 63
Total amount of stock owned by the state,	\$781,238 68

**No. 4.**

*A statement of debts due from Government, on the 10th day of October, 1830, and for which the Treasury is bound for the payment, to-wit:*

*Sheriffs, for revenue—*

Revenue for 1813, overpaid,	\$ 8 32
Ditto 1822, ditto,	1 02
	—————
	\$ 9 34
Town of Columbus,	2,052 84
Purchasers of non-residents' lands,	250 54
Warrants unpaid,	2,961 32
Attorneys' salaries,	2,024 52
Salaries of the Executive and Judiciary officers,	4,977 68
Treasurer of the town of Waidsboro'	05
	—————
Total amount of debts due from Government on the 10th day of October, 1830,	\$12,276 29
	—————

**No. 5.**

*A statement shewing the debits and credits of the Revenue account of 1828, due from Sheriffs during the year ending on and including the 10th day of October, 1830, to-wit:*

## DEBITS.

Balance due the Commonwealth on the 10th day of October, 1829,	\$72,956 13
Additional lists, as certified by clerks,	99 83
Costs for motions,	17 00
Warrants issued for accounts overpaid,	198 65
	—————
Total	\$73,271 61

## CREDITS.

By amount paid Treasurer,	\$62,109 21
Wolves killed,	1,243 00
Commission for collecting,	5,284 38
Delinquents, exonerations, forfeited lands, and errors corrected,	4,427 72
	—————
Total,	\$73,064 31

Balance due Government on the 10th day of October, 1830, as per statement No. 3,	\$ 207 30
	—————

## No. 6.

*A statement, shewing the debits and credits of the accounts of Clerks, for the collection of law process, deeds, seals, &c. accounted for during the year ending on and including the 10th day of October, 1830, to-wit:*

## DEBITS.

Balance due the Commonwealth on the 10th day of October, 1829,	\$ 3,778 82
Accounts rendered,	14,333 30
Costs charged,	237 16
Warrants issued for accounts overpaid,	5 15
	_____
	\$18,954 43

## CREDITS.

By amount paid Treasurer,	\$11,220 54
Commission for collecting,	714 11
	_____
	11,934 65

Balance due the Commonwealth on the 10th day of October, 1830, as per statement No. 3,	\$ 6,419 78
	_____

## No. 7.

*A statement, shewing the probable amount of expenditures of the Government, for the year ending on and including the 10th day of October, 1831, to-wit:*

Jailors,	\$ 8,000 00
Executive offices,	2,000 00
Public Printers,	35 00
Distributing Acts and Journals, Dec. session, 1830,	300 00
Public communications,	800 00
Criminal Prosecutions,	16,000 00
Contingent expenses,	2,000 00
Salaries of the Executive and Judiciary officers,	30,000 00
Military expenditures,	300 00
Lunatics,	10,000 00
Decisions Court of Appeals,	3,000 00
Clerks' services,	8,500 00
Deaf and Dumb Asylum,	2,500 00
Money refunded,	500 00
Lunatic Asylum,	8,000 00
Sheriffs, comparing polls,	800 00
Legislature, December session, 1830, and all expenses incident thereto, supposing the same to sit seven weeks,	35,000 00
For the execution of slaves,	1,500 00
Commissioners of tax,	8,000 00
Sheriffs, for revenue overpaid,	500 00
Public roads,	200 00
Turnpike roads,	10,000 00
Total amount expected to be expended during the year ending 10th October, 1831,	\$147,735 00

## No. 8.

*A statement of the amount of moneys, which is expected to be paid into the Treasury during the year ending on and including the 10th day of October, 1831, subject to the expenses of Government, to-wit:*

The gross amount of revenue collectable by sheriffs for the year 1829, and made payable on the first Monday in December next, is	\$75,539 58
The loss on the collection of the same, including credits for commissions, exonerations, delinquents, and compensation for killing wolves, it is presumed, will be about 18 per cent, amounting to,	\$13,597 12
Leaving,	
Of which was collected and paid into the Treasury, previous to the 10th day of Oct. 1830,	\$3,314 28
The delinquent sheriffs will be about	1,000 00
	4,314 28
Which leaves a sum that may be expected to be paid into the Treasury, during the ensuing year, of	\$57,628 18
Of the revenue collectable by Clerks, Register of the Land-Office, and Secretary of State,	10,000 00
Miscellaneous receipts,	50 00
For taxes on non-residents' lands,	2,200 00
From the Bank of the Commonwealth of Kentucky,	16,000 00
From Bank stock fund, viz: Vacant and head-right lands,	3,000 00
For the sale of vacant lands east and west of Cumberland river,	200 00
For the sale of lands west of Tennessee river,	15,000 00
From forfeited lands, and warrants to confirm titles to forfeited lands,	50 00
Of the balances due Government, as in statement No. 3, will be collected of the revenue due by sheriffs,	2,000 00
Ditto from clerks,	3,000 00
Ditto from loans to the Penitentiary,	500 00
Ditto from Treasurer of the town of Columbus,	1,473 85
Of the other balances, it is not supposed that any thing can be collected.	
Total amount expected to be received during the year ending 10th October, 1831,	\$111,102 03
Balance due from Government, as per statement No. 1,	\$ 83,422 06
Ditto No. 4,	12,276 29
Amount of statement No. 7,	147,735 00
Making	\$243,433 35
From which deduct the expected receipts, as in statement No. 8,	111,102 03
Leaving a supposed balance due from Government, on the 10th day of October, 1831, of	\$132,331 32

## No. 9.

A statement exhibiting the amount of Revenue receivable by the Clerks and Sheriffs of each County, during the year ending on and including the 10th day of October, 1830, and the amount of expenditures of each county during the same time; also shewing the difference between the revenue and expenditures.

Counties.	Amount of Revenue.	Am't of Expenditures.	Nett Revenue.	Exp's exceeding Revenue.
Adair,	\$ 907 43	\$ 472 82	\$ 434 61	\$ 60 72
Allen,	645 61	706 33		
Anderson,	528 17	285 92	242 25	
Bracken,	597 70	150 18	447 52	
Bullitt,	551 53	629 64		78 11
Bourbon,	4,231 91	1,133 73	3,098 18	
Bath,	1,148 80	534 48	613 82	
Barren,	1,588 86	620 22	968 64	
Breckenridge,	904 54	980 90		76 36
Boone,	1,009 72	471 46	538 26	
Butler,	215 58	244 38		28 80
Campbell,	988 61	553 22	435 39	
Caldwell,	807 07	1,127 53		320 46
Cumberland,	701 66	557 21	144 45	
Christian,	1,969 00	1,077 22	891 78	
Clarke,	2,196 37	1,003 57	1,192 80	
Clay,	277 47	430 73		153 26
Calloway,	226 85	605 56		378 71
Casey,	319 01	183 40	135 61	
Daviess,	413 08	557 22		144 14
Edmondson,	295 60	249 81	45 79	
Estill,	308 10	229 35	78 75	
Fleming,	1,491 03	845 35	645 68	
Franklin,	1,728 80	874 65	854 15	
Fayette,	5,358 71	2,245 37	3,113 34	
Floyd,	267 00	524 72		257 72
Garrard,	1,358 54	751 75	606 79	
Green,	1,668 84	862 81	806 03	
Greenup,	511 84	999 84		488 00
Gallatin,	626 61	303 53	323 08	
Graves,	98 91	203 07		104 16
Grant,	274 91	374 48		99 57
Grayson,	279 13	352 82		73 69
Harrison,	1,714 51	780 69	933 82	
Hardin,	1,107 87	746 18	361 69	
Hart,	418 89	308 19	110 70	
Henderson,	817 18	344 71	472 47	
Hancock,	8 00	140 09		132 09
Hopkins,	576 91	394 37	182 54	
Henry,	1,719 99	982 39	737 60	
Hickman,	238 78	724 58		485 80
Harlan,	176 04	573 97		397 93
Jefferson,	7,207 71	4,218 49	2,989 22	
Jessamine,	1,430 61	719 43	711 18	
Am't forwarded,	\$49,912 98	\$31,076 36	\$22,116 14	\$ 3,279 52

<i>Counties.</i>	<i>Amount of Revenue.</i>	<i>Am't of Expenditures.</i>	<i>Nett Revenue.</i>	<i>Exp's exceeding Revenue.</i>
Am't br't forw'd,	\$49,912 98	\$31,076 36	\$22,116 14	\$3,279 52
Knox,	298 11	513 99		215 88
Lincoln,	1,677 77	892 75	785 02	
Lawrence,	154 04	714 49		560 45
Lewis,	376 29	429 86		53 57
Livingston,	700 65	754 49		53 84
Logan,	1,706 72	1,956 96	649 76	
Laurel,	134 79	319 34		184 55
Mason,	2,557 75	1,375 03	1,182 72	
Morgan,	148 09	274 69		126 60
Monroe,	431 91	419 95	11 96	
Mercer,	2,250 13	1,458 15	791 98	
Madison,	2,583 26	922 44	1,660 82	
McCracken,	39 12	215 75		176 63
Mead,	446 78	1,131 35		684 57
Montgomery,	1,221 53	858 56	362 97	
Muhlenburg,	493 34	510 27		16 93
Nelson,	1,999 80	1,473 74	526 06	
Nicholas,	981 26	657 56	323 70	
Oldham,	1,073 03	424 68	648 35	
Ohio,	379 01	521 13		142 12
Owen,	556 69	400 67	156 02	
Perry,	186 91	1,076 20		889 29
Pike,	132 13	488 11		355 98
Pendleton,	355 95	319 43	36 52	
Pulaski,	587 19	680 14		92 95
Rockcastle,	246 23	515 23		269 00
Russell,	334 62	246 58	88 04	
Shelby,	2,960 22	1,223 33	1,736 89	
Scott,	2,244 29	1,552 62	691 67	
Simpson,	747 93	484 50	263 43	
Spencer,	877 06	543 20	333 86	
Trigg,	616 27	408 18	208 09	
Todd,	1,097 91	375 02	722 89	
Union,	536 69	364 18	172 51	
Warren,	1,424 93	769 47	655 46	
Woodford,	2,527 62	911 48	1,616 14	
Whitley,	197 07	635 21		438 14
Washington,	2,034 35	1,392 84	641 51	
Wayne,	668 10	905 19		237 09
Total,	\$87,898 52	\$59,293 12	\$36,382 51	\$7,777 11

PORTER CLAY.

*Aud. Pub. Accounts.*STATE OF KENTUCKY—Auditor's Office,  
Frankfort, 10th October, 1830. §

The Speaker also laid before the House, a letter from the commissioners, appointed under an act of the last session, to settle with the Keeper of the Penitentiary, enclosing their report which is in the following words, viz:

*Frankfort, Dec. 8, 1830.*

SIR—You will please lay before the House of Representatives, the enclosed statement of the situation of the penitentiary,  
And oblige,

Yours respectfully,  
JOHN BROWN,  
H. WINGATE,  
THO. S. PAGE,  
*Commissioners.*

J. J. CRITTENDEN, Esq.

*Speaker of the House of Representatives.*

In conformity to an act of Assembly, passed at the last session of the Legislature, appointing us "Commissioners to settle with the Keeper of the Penitentiary," we submit the following report:

The books of the Institution have been examined carefully, and the balances made up to the 1st day of November last, from which is ascertained, that a balance remains due from individuals, by accounts and notes of hand, to the amount of \$15,694 70

From the State of Kentucky, for manufactured articles furnished by the Keeper, to the building Commissioners of the State House, (in Commonwealth's paper) \$8,298 10—to specie, \$7,260 84  
Ditto, (in specie,) 2,488 50

Ditto, for erecting and completing 34 cells, and making the partitions to the old cells as directed by act of Assembly, approved 29th January, 1829, 2,116 80

Ditto, for raising the outer wall of the Penitentiary six feet higher, and covering the same with loose stone, as directed by said act, 1,546 81

Ditto, for advances made to convicts, after having served their time of imprisonment, (Commonwealth's paper,) \$870—to specie, 761 25

Total charged to the State, . . . . .	\$14,174 10
Amount due from Joel Scott, . . . . .	5,338 64

Total amount due the Institution, . . . . .	\$35,207 54
Raw materials on hand, . . . . .	3,871 67
Manufactured articles on hand, . . . . .	10,470 71

Making a sum of . . . . .	49,549 92
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From which deduct the amount of debts due to individuals from the Institution . . . . . \$4,271 37

Of the debts due from individuals (we suppose) there will be bad and doubtful debts to the amount of . . . . . 1,050 76

Making, . . . . .	\$5,322 18
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Leaving a balance to the credit of the Institution on the 1st day of November, 1830, of . . . . . 44,227 79

In making the foregoing statement, we have been very particular, and notwithstanding we do not consider it to be entirely correct, in conse-

quence of the great number of accounts, that are carried on in the way of barter by the Institution, (which cannot be closed without some considerable notice,) and moreover we do not believe that a full and correct view of the Institution can be given, unless the business should cease for a while, and a minute inventory of every article be taken into the calculation.

We are, however, decidedly of opinion, that the Institution is, at this time, in a prosperous condition, and doing remarkably well, the profit as reported is much larger than our most sanguine expectations; and the Institution, as far as we have had it in our power to examine, is managed in that prompt and energetic manner, as must ensure success, and profit to the State, if not the benevolent purposes for which it was originally instituted. The morals and education of the convicts appear to be under the peculiar care of the Keeper; he has in his employ persons who teach them, regularly, on each Sabbath day, the great and leading principles of education, morality and religion, and indeed every thing that can render such miserable creatures comfortable or happy, is done by the Keeper:

The improvements made, in addition to those reported by the Commissioners at the last session of the Legislature, is estimated at \$1700; the tools, &c. about the same value.

All of which is respectfully submitted by

J. BROWN,  
H. WINGATE, }  
THO. S. PAGE. } Commissioners.

FRANKFORT, December 6, 1830.

*Ordered*, That the public printers, forthwith print one hundred and fifty copies of each of said reports, for the use of the members of this House.

The Speaker laid before the House, a letter from the Treasurer of this state, enclosing his annual report, shewing the amount of money received, and paid at the Treasury, for the last fiscal year, ending on the tenth day of October last, which is as follows:

*Frankfort, Dec. 8, 1830.*

SIR— You will please lay before the house over which you preside, the enclosed statement, which gives a concise view of the situation of the treasury department, from the 11th day of October, 1829, to the 10th day of October, 1830, inclusive.

I have the honor to be, very respectfully,

Your obedient servant,

JAMES DAVIDSON,

HON. J. J. CRITTENDEN, Treasurer.  
*Speaker of the House of Representatives.*

#### No. 1.

*A statement, shewing the amount of moneys received by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1829, to the 10th day of October, 1830, inclusive.*

#### BANK STOCK FUND.

From head-right lands,	\$ 276 67
From land-warrants,	2,823 85
For the encouragement of the manufacture of salt,	63 30
	-----
	\$ 3,163 82

	Amount brought forward,	\$ 3,163 82
From non-residents' lands,		2,066 62
" Lands west of Cumberland river,		201 50
" Warrants to be laid on forfeited lands,		12 60
" Lands west of Tennessee river,		16,479 50
" Clerks, for taxes,	\$11,220 54	
" Register of the Land-Office,	860 01	
		12,080 55
" Sheriffs, for revenue,		66,309 38
" Loans to the Penitentiary,		92 53
" Town of Columbus,		546 74
" Miscellaneous receipts,		49 18
" Bank of the Commonwealth, (nett profits.)		15,213 44
" Distribution of stock from the Bank of Kentucky,		14,917 50
		Total amount received in Commonwealth's paper, \$131,133 36

## SPECIE.

From the Bank of Kentucky for the distribution of stock,	<u><u>\$14,917 50</u></u>
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## No. 2.

A statement, shewing the amount of warrants paid by the Treasurer, (under their appropriate heads,) from the 11th day of October, 1829, to the 10th day of October, 1830, inclusive.

On Criminal prosecutions,	\$15,107 16
Lunatics,	10,099 72
Jailors,	7,701 69
Clerks' services,	8,219 68
Clerks,	5 15
Sheriffs, for revenue,	272 33
Salaries of the Executive and Judicial departments,	28,047 19
Executive offices,	1,836 87
Contingent expenses,	1,718 85
Commissioners of tax,	7,269 80
Money refunded,	360 00
Military expenses,	306 10
Turnpike roads,	3,561 00
Distributing the Acts and Journals,	253 00
Internal Improvements,	563 91
Slaves executed,	1,050 00
Sheriffs, comparing polls,	652 02
Appropriations, December Session, 1828,	13 94
Appropriations, December Session, 1829,	82,901 37
Legislature, December Session, 1829,	15,063 60
Ky. Institution for the tuition of the Deaf and Dumb,	1,987 97
Public roads,	173 75
Public communications,	702 21
Public Printer,	30 25
Decisions of the Court of Appeals,	2,822 00
Attorneys for the Commonwealth,	4,452 86

Total amount of warrants paid by the Treasurer, from the 11th October, 1829, to the 10th October, 1830, (in Commonwealth's paper,) \$145,172 81

Stock subscribed in the Bank of the Commonwealth, during the same time,	14,917 50
Balance due from the Commonwealth, on the 10th day of October, 1829,	54,465 61
	<hr/>
Making a sum of	\$214,555 42
From which deduct the amount of monies received, as in statement No. 1,	131,133 36
	<hr/>
Leaving a balance due from Government, on the 10th day of October, 1830, (Commonwealth's paper,)	\$83,422 06

## SPECIE.

Bridges—Amount of warrants paid during the year for the erection of a bridge across Rockcastle river,	\$ 790 60
Stock subscribed in the Bank of the Commonwealth of Kentucky,	14,917 50
	<hr/>
Balance in the Treasury on the 10th day of Oc- tober, 1829,	\$ 790 60
Amount received, as in statement No. 1,	14,917 50
	<hr/>
	15,708 10

There still remains in the Treasury, on the 10th day of Oc- tober, 1830, in Illinois money,	\$20 00
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STATE OF KENTUCKY—Treasury Office,  
Frankfort, 10th October, 1830. {

JAMES DAVIDSON, Tr.

The Speaker laid before the House the annual report of the Keeper of the Penitentiary, which is in the following words:

*To the honorable, the Speaker of the House of Representatives of the State of Kentucky.*

SIR:

It again becomes my duty to report, through you, to the house over which you preside, the condition of the Penitentiary committed to my care. This duty is discharged with pleasure, because I flatter myself that by the close of the present session, I shall be able to satisfy the members of the Legislature generally, that the confidence reposed in me has not been misplaced.

I have the satisfaction to inform you, that Messrs. Brown, Wingate and Page, commissioners appointed by the Legislature in behalf of the State, have proceeded to settle with the Keeper of the Penitentiary, in a manner agreeable to them and to him, all the accounts of the institution, as far as they admitted of a settlement, up to the first of November last. They have given me a copy of their report, which I desire to be considered as a part of this communication, (see page 40.) Their report contains such ample and correct statements of the condition of the institution;

that I need not here repeat them. For information concerning the pecuniary concerns of the institution, I refer you to their report. The present year has been exceedingly favorable and profitable for the Penitentiary; but two circumstances having occurred to mar the uniform prosperity.

The first was the infringement, by a severe visitation of fever, of the uniform good health which the prisoners had enjoyed. The fever commenced in September, and prevailed about eighty days, during which time from three to fourteen prisoners were prostrate at once, and two young men fell victims of the fever. A prisoner about seventy years old, has died of a lingering decline. Another, who has been addicted to intemperance in the use of intoxicating liquors, has died from that cause. A negro man who had long been afflicted with a disease of the liver and kidneys, has died, after being confined about nine months; making in all five deaths since my last report. In conclusion of this subject, permit me to say, that a hospital has been in great demand during the last year, particularly during the prevalence of the fever. At present the prisoners are all well, except one convalescent man.

The second unpleasant occurrence was the escape of two convicts, but one of which has been retaken. They effected their escape early in the morning of the 21st day of September last, by an ingenious contrivance, too difficult to be described in this report. I am happy to say, that their escape was effected in such a manner as to reflect no censure upon any person in my employment.

Since my last report, forty-one convicts have been received; the sentences of thirty have expired; three have been pardoned; five have died; and one is out by escaping. In September last the number of prisoners was one hundred and three. At present the number is ninety-two. They are employed about as follows: Ten bagging spinners; three bagging weavers; six weaving broad cloth, jeans and carpetings; one sleigh-maker; one brush-maker; six shoe-makers; twelve wagon and plough makers; sixteen blacksmiths; five chair makers; two coopers; one engineer; one fireman; one miller; ten hatters; four wool carders; two wool spinners; two cloth dressers; six stone cutters; and three cooks. The prisoners are sometimes shifted from one trade to another, as occasion requires.

Supposing that you would be pleased to have more particular information concerning the crimes, sentences &c. of the convicts, I herewith submit a statistical table, (see paper marked C.), shewing the initials of all prisoners names who have been convicted for the last two years, together with their ages, counties from which they were sent, the time when they were received, the term of their sentence, their crimes, nativity, occupation before conviction, whether they are learned or unlearned, the character of their conduct before conviction, and the character of their conduct while they have been in the prison. Upon examining this table, to which

I invite your particular attention, you will find that during the last two years the convictions have been,—for felony, (the particular offence not being named) thirty-six; for horse stealing, fourteen; house breaking, three; stealing money, six; swindling, two; manslaughter, five; kidnapping, one; passing counterfeit money, five; house burning, two; forgery, two; highway robbery, three; and for maiming, one.

The conduct of the prisoners has been so good as almost entirely to supersede the necessity of severe corporeal punishment. I have caused the rules of the prison to be printed, and have had a copy posted up in every cell, in order that the prisoners may read them, until they are perfectly understood. A copy of these rules is herewith submitted, (see paper marked D,) for your inspection. Any improvements which you will suggest, shall be adopted most cheerfully.

As to the sabbath school for the prisoners, I found that the benevolent design of the institution was defeated, and that it was impossible to do any good with all the prisoners confined in the school room at once. Therefore I held a council with the visiting committee, and we agreed that it was best to lock up those who were old, and some of those most advanced in learning. At this time about thirty of the youngest and most illiterate are attending school, some of them highly pleased and learning fast. I should be pleased if I could inform you that the prisoners had been well supplied with religious instruction during the last year. My efforts to obtain preaching, so far, have been unsuccessful under the present regulations, that the prisoners have not heard more than fifteen or twenty sermons during the last year. In remedy of this defect, I hope that your wisdom will devise some plan, with which I shall most cheerfully co-operate.

Of the other officers of the Penitentiary, I have the pleasure to say, that to their diligence and skill, the credit of my success is largely to be ascribed. I have to regret the loss of my worthy assistant, Mr. John McIntosh, who has accepted the office of Keeper of the Tennessee Penitentiary. His place has been supplied by Mr. Dryden, whose industry and intelligence give strong indications that he will make a valuable assistant.

As the term of my contract with the State will expire in another year, permit me to suggest to the Legislature the propriety of the appointment of a person who shall succeed me in office. It is important that he should have timely notice of his appointment, in order that he may prepare suitable and seasoned materials for business.

In conclusion, permit me to hope, that I may have the pleasure of being visited by the members of the Legislature, individually and in committees, as early in the session and as frequently as possible. The Keeper would be gratified by an acquaintance with the members, who visit the prison,

in order that he may afford them more full and particular information concerning it, and that they may receive that attention and respect which he would be happy to bestow.

All which is very respectfully submitted by your humble servant,  
JOEL SCOTT, *Keeper.*

(D.)

#### PRISON RULES.

THE ASSISTANT KEEPER is to attend at the prison early every morning to unlock the cell doors, and let out the convicts; to superintend all the business which is carried on, and see that all hands perform their work; to be constantly moving from shop to shop, to examine every thing which is going on, and to see that no disorder or neglect of any kind is committed in the prison; to be at table at meal time; to lock up the *Convicts* at night, with the assistance of the guard, and to count and see that all the *Convicts* are in their proper places.

He is to inspect the guard, and to see that they perform their duties; he is to attend at the prison every Sunday at meal times, and he is also to attend to locking up the prisoners on that day.

He is to be entirely moral; he must never indulge in passion in the prison, and must never strike a prisoner without permission from the KEEPER; he must not converse much in the prison during business hours. He is to deliver all manufactured articles; to make out all the bills of work done, and hand them to the Clerk; he is to be as constantly in the prison as possible, and is not to leave it without giving information to the KEEPER; he is to guard the blacksmiths when they work in the night; he is to receive all Convicts upon their arrival at the office, and when a Convict is received, to examine him, and see if he is sound, to have his head and face shaven, to have him dressed in the prisoners' dress, to conduct him to his cell, and there read to him the rules of the prison, then to conduct him to the KEEPER, who will then give him his charges, and put him to work. If the prisoner is unsound on his arrival, the ASSISTANT KEEPER is to send for the Physician, who will attend to him.

At day break in the morning the guard on duty must ring the bell; the Convicts must then arise, dress themselves, make up their bed, and sweep their rooms. When the ASSISTANT KEEPER arrives in the yard he must ring the bell a second time, and then proceed, with the assistance of the guard to open the cell doors.

The *Convicts* must then sweep the litter from their rooms into the alleys; the ASSISTANT KEEPER must then ring the bell a third time, when the prisoners must step out of their cells, form a single file, and then march directly to their respective work shops, all in silence. The foreman of each shop is to march behind his shops' crew, and if any of them are disorderly, he must report them to the KEEPER. When arrived at their res-

pactive places of work, they are to wash and wipe themselves, and then proceed to labour. As each man has his own place at which to work, he is not to leave it and go to another man's place without leave. Every man is to work briskly, to be careful that nothing committed to him shall be wasted, and is held responsible for the quality of his work.

Every shop has a waiter and a bell to ring for him; and when any Convict wants any thing he must pull his cord which rings the bell for the waiter, who will wait on him.

At meal times the bell is to be rung twice, first for such hands to prepare for meals as cannot leave their work immediately. At the second ringing, all hands must quit work, form in single file, and thus march in silence to their respective places in the eating room, take their seats, and, when the bell rings again, commence eating in silence.

When a *Convict* wants bread, he must hold up his hand; for soup, his spoon, for meat his knife, for vegetables, his fork, for water, coffee &c. his cup. Every man, when done eating, must wait until the bell rings, must then rise and march in single file to their respective shops, the man marching before, going to meal, must march behind going to work, the foreman of each shop always marching behind his shops' crew.

At work the *Prisoners* must not turn their eyes off of their work, to look at any person passing, nor speak to any person without permission. Each shops' crew have a separate privy which they must use, and none other. Each shop has a token, placed in a conspicuous place, which a prisoner must take with him, when he visits the privy; he must go and return quickly without speaking to any one passing.

When the bell rings at night each shops' crew must form in single file and march to their respective cells, get their water from the buckets passing for that purpose, go into their cells, hand the hasps of their cell doors to the guard as he passes to lock the doors, and remain in their rooms in silence, all noise in the cells being strictly prohibited.

As soon as the *Prisoners* are unlocked, and proceed to their work in the morning, two men must clean the night buckets; if a bucket contains any thing but urine, it must be placed by its owner in the door of his cell before he leaves it. The two men must empty it, wash it, and place it in the sun, and then proceed to empty all buckets which have urine in them, and then go to their regular work.

Three men are appointed whose duty it is to cook for the prisoners, wash their clothes, and clean all the furniture in the eating room, and kitchen. They must have a plate, knife, fork, spoon and cup at each man's place, must wait upon the prisoners at meal time. They must sweep out the alleys between the cells every morning after breakfast; they must carry out all the slop water at night; must have buckets of water ready and must carry them along the allies for the prisoners to get night water as they pass. They are to keep the school room clean, and in cold weather-

make a fire in the morning. Every Saturday morning, three men appointed for that purpose, must sharpen the razors; after breakfast go with one of the guard to a shop, and then shave the heads and faces of the prisoners. Three men must be washing, three shaving and three dressing with clean clothes, at the same time; as soon as three are dressed, they must go to their work, and three more must be called, shaving by shops, the cooks taking care of the clothes.

On Sunday the bell will ring as on other mornings, and the prisoners must march to their work shops as on other mornings, there wash and thence march at the ringing of the bell to breakfast as usual. After breakfast, those who are to be locked up must march to their cells, the others must march to the school room, and there attend in silence to their studies as directed. No prisoner must speak to another without permission. After school they must march to their cells, be locked up, and there learn a lesson to recite after dinner &c. When there is divine service, notice will be given by the bell, and all hands are to attend in the chapel and politely attend services. On Monday morning each man must hand his books to his foreman, who must keep them until Saturday evening, when at the first ringing of the bell each man must get his books and keep them until Monday morning.

Whilst at breakfast on Sunday mornings, four men who have dirted their night buckets, must clean all the buckets before they go to breakfast.

The *Prisoners* are at all times forbid to speak to each other, or to the guard, unless on business. If they wish to speak to the Keeper or Assistant Keeper, they must ask their permission.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles:

An act to repeal an act entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties, so far as the same embraces the county of Bath, and for other purposes."

An act to authorize the insertion of certain advertisements in the "Political Examiner and General Recorder," and in the "American" and "Union."

An act to incorporate the Madison Library Company—and

An act for the benefit of the sheriffs of Bath and Montgomery counties.

Mr. Thomas moved a resolution, which being twice read, and amended, was adopted, in the following words:

*Resolved*, That the committee of ways and means be instructed, to enquire into the different items of governmental expense, and report if any reduction can be made, and if any, in what particular.

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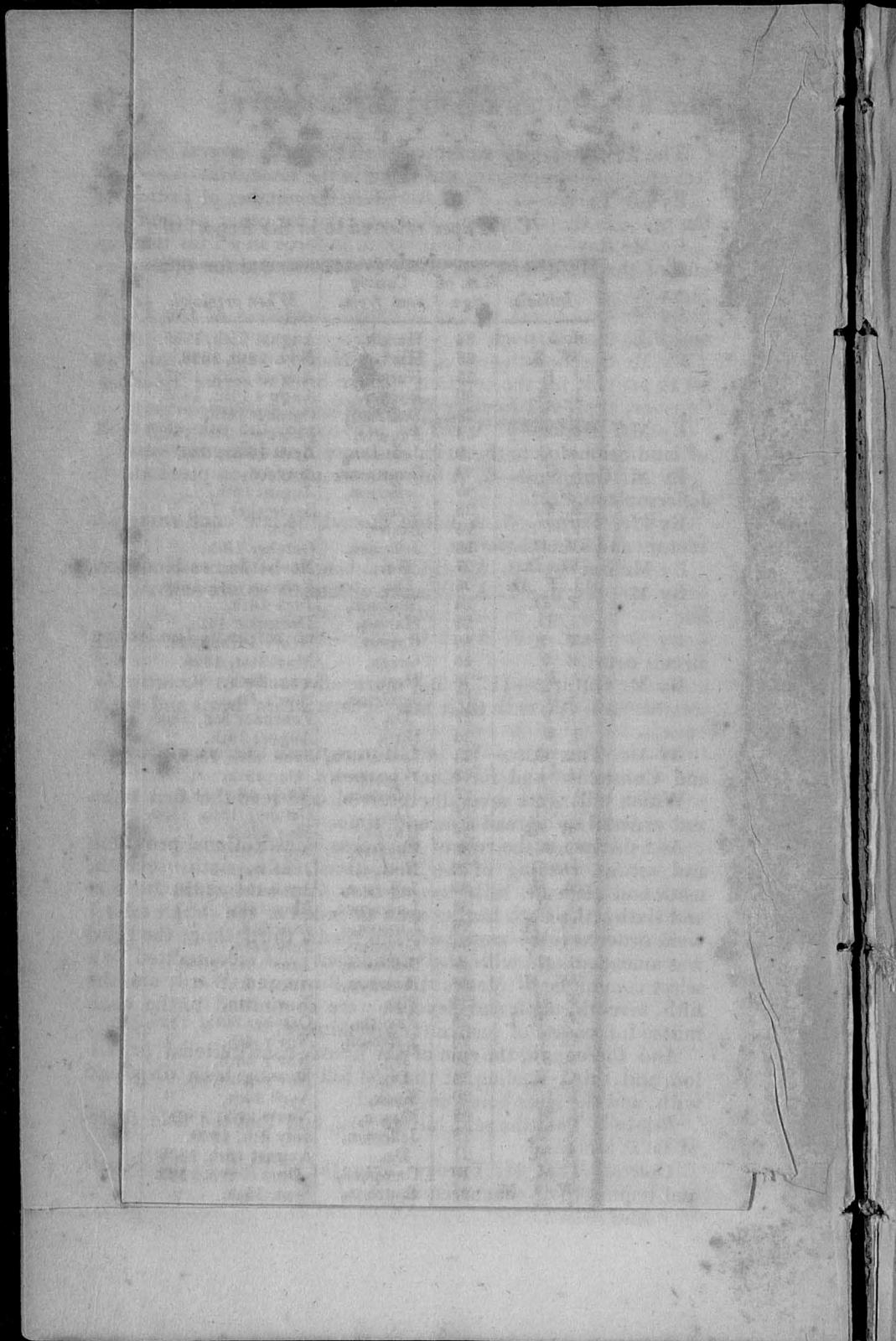
And then the House adjourned.

## H. R. JOURNAL.

(C.) Paper referred to in the Report of the Keeper of the Penitentiary.

To face page 44.

<i>Initials.</i>	<i>Yrs. of age.</i>	<i>County sent from.</i>	<i>When received.</i>	<i>Term of sentence.</i>	<i>Crime.</i>	<i>Nativity.</i>	<i>Occupation before convic'n.</i>	<i>Learned or unlearned.</i>	<i>Conduct before conviction.</i>	<i>Conduct in prison.</i>
J. A.	34	Harlan,	August 25th, 1829.	2 years.	Stealing linnen.	Kentucky	Cooper	Can read	Bad, 2d conv'n	Good
W. B.	28	Hart,	Nov. 16th, 1828.	2 do	do gun	do	Idler	Unlearned	Idler, bad	do
J. B.	25	Harlan,	August 25th, 1829.	4 do	do linnen.	do	None	Read and write	2d conviction	do
L. B.	20	Boone,	August 19th, 1830.	2 do	do money	Tennessee	do	Unlearned	Idler	do
G. B.	28	Jefferson,	October 16th, "	3 do	do goods	Pennsylvania	do	Can read	2d conviction	do
E. C.	53	Fayette,	February 24th, 1829.	4 do	Passing cft money	Virginia	Farmer	Learned	Good	Tolerable good
A. C.	29	Jefferson,	April 15th, 1830.	2 do	Felony	Philadelphia	Sailor	do	Dissipated	do
I. C.	23	Jessamine,	May 1st, "	1 year	Stealing canoe	Kentucky	Farmer	Can read	do	Pardoned May 8, 1830
D. C.	40	Jefferson,	August 18th, "	2 years	do coat	Ireland	do	Unlearned	do	Trifling
S. C.	26	Adair,	September 7th, "	1 year	do money	Kentucky	Idler	do	do	do
F. C.	26	Butler,	Do. 23d, "	1 do	do do	do	Farmer	do	do	Good
M. C.	28	Jefferson,	October 16th, "	3 years	Killing his wife	Tennessee	Brick maker	Can read	Rambler	do
W. D.	27	Do.	Nov'r 17th, 1828.	1 year	Stealing coffee	Pennsylvania	Boatsman	Read and write	do	do
I. F. D.	26	Do.	February 3d, 1829.	2 years	do money	Kentucky	Farmer	Learned	Bad	do
E. D.	24	Madison,	June 16th, "	2 do	do negro	do	Stone mason	Read	Good	do
J. D.	28	Harlan,	December 14th, "	2 do	Swindling	do	Farmer	do	do	Pardon
T. E.	32	Graves,	Nov'r 12th, 1828.	2 do	Stabbing	do	do	Unlearned	Dissipated	do
B. F.	26	Green,	May 31st, 1829.	2 do	Two wives	do	Shoe maker	do	do	dead
I. F.	23	Hart,	Aug. 19th, "	1 year	Stealing	Ireland	Laborer	Learned	do	do
S. F.	17	Jefferson,	Nov'r 4th, "	1 do	Felony	Cincinnati	None	Unlearned	Very bad	do
J. F.	29	Do.	February 5th, 1830.	2 years	do	Virginia	do	do	do	do
I. F.	24	Hart,	August 18th, "	4 do	Horse stealing	Tennessee	Blacksmith	Read and write	Good	do
A. G.	24	Livingston,	June 13th, 1829.	2 do	Felony	Kentucky	Farmer	ditto	Dissipated	do
J. G.	23	Woodford,	Do. 18th, "	3 do	Manslaughter	do	do	Bad	Pardon	do
C. G.	17	Jefferson,	Nov'r 4th, "	1 year	Felony	do	do	ditto	do	2d conviction. Bad
C. G.	18	Do.	October 18th, 1830.	2 years	do	do	Farmer	do	do	Good
W. G.	46	Hardin,	May 27th, "	4 do	Horse stealing	N. Carolina	Stealing	Learned	Stealing	Bad
O. G.	30	Fayette,	April 13th, "	2 do	Cloth do	Baltimore	Farmer	Unlearned	Rambler	Dead
D. G.	22	Nelson,	June 22d, "	4 do	Horse do	Kentucky	Idler	Learned	Suspicious	Not very good
R. H.	25	Jefferson,	April 15th, 1829.	4 do	Felony	Virginia	Cabinet maker	do	Idler	do
J. H.	33	Lawrence,	May 15th, "	1 year	Passing cft money	Kentucky	Farmer	Can read	Good	A man of color
W. H.	26	Lincoln,	June 9th, "	1 do	Stealing money	Virginia	Stealing	do	Not good	Good
D. H.	34	Greenup,	July 16th, "	6 years	Manslaughter	Germany	Farmer	do	Idler	do
J. H.	46	Jefferson,	June 18th, 1830.	2 years	Felony	Virginia	Blacksmith	Can read	Bad	do
W. H.	39	Bourbon,	Aug. 18th, "	Life.	House-breaking	Kentucky	Farmer	ditto	ditto	do
P. H.	34	Pike,	Nov'r 8th, "	1 year	do burning	do	do	do	do	do
D. B. I.	23	Fayette,	October 30th, 1829.	1 do	Stealing money	New York	Stealing	Learned	Very bad	Been in other prisons
G. I.	23	Jefferson,	Nov'r 4th, "	2 years	do watch	Kentucky	None	Unlearned	Idler	Good
J. J.	29	Do.	Nov'r 24th, "	1 year	Felony	Philadelphia	Rope maker	Learned	Dissipated	Tolerable good
C. K.	38	Do.	Nov'r 24th, "	1y. 9m.	do	N. Carolina	Idleness	Unlearned	do	do
I. L.	20	Knox,	April 24th, "	4 years	Horse stealing	Virginia	Horse racer	Racer	Riding races	do
I. M.	63	Mason,	Nov'r 14th, 1828.	4 do	do do	Kentucky	Riding races	do	do	do
J. M.	19	Jefferson,	July 8th, 1829.	1 year	Watch do	do	do	ditto	ditto	do
J. M.	21	Do.	August 18th, 1830.	3 years	do do	do	do	do	do	do
I. M.	29	Campbell,	Do. 9th, 1829.	1 year	House burning	Virginia	Not known	do	Stealing	2d conviction
W. I. M.	35	Bourbon,	Sept. 15th, "	2 years	Forgery	Ireland	Grocer	do	Good	do
J. M.	23	Jefferson,	Nov'r 4th, "	1y. 6m.	Felony	New York	Rambler	do	Bad	do
I. M.	35	Do.	February 15th, 1830.	2 years	do	Pennsylvania	Boatsman	do	Boatsman	do
I. M.	17	Lewis,	October 23d, 1829.	2 do	Stealing	Kentucky	Idler	do	Idler	2d conviction. Bad
T. M.	46	Wayne,	May 5th, 1830.	3 do	Highway robbery	Tennessee	Blacksmith	do	Not good	Good
R. M.	29	Do.	Do. do.	3 do	do	Farmer	do	do	Tolerable good. Dead	do
I. M.	23	Do.	Do. do.	3 do	do	do	do	do	do	do
D. M.	53	Shelby,	July 5th, 1830.	10 do	Manslaughter	Virginia	Stone mason	do	Dissipated	Good. Dead
L. M.	30	Fayette,	July 4th, "	1 year	Forgery	Ireland	Farmer	Unlearned	do	do
C. M.	26	Mercer,	Oct. 18th, "	1 do	Stabbing	Kentucky	Not known	Can read	do	do
I. O.	30	Jefferson,	Feb. 5th, "	1 do	Felony	Virginia	do	ditto	do	do
R. P.	19	Do.	Nov'r 14th, 1829.	1y. 6m.	do	Kentucky	Unlearned	do	Very bad	do
P. M.	25	Calloway,	March 5th, "	4 years	Horse stealing	Tennessee	Idler	Read and write	ditto	Not good
I. H.	20	Do.	Do do	4 do	do do	Kentucky	Farmer	ditto	do	do
W. P.	26	Clarke,	December 19th, "	1 year	House breaking	do	do	Can read	do	do
S. Q.	27	Christian,	August 27th, 1830.	1 do	Maiming	do	do	ditto	do	do
S. R.	27	Bracken,	March 25th, 1828.	3 years	Burglary	do	do	ditto	do	do
M. R.	21	Shelby,	July 3d, 1829.	1y. 6m.	Stealing saddle	do	Farmer	ditto	Bad	do
W. R.	17	Jefferson,	Nov'r 4th, "	1 year	Felony	Ohio	Baker	do	Good	Bad
I. R.	53	Fayette,	July 14th, 1830.	3 years	do	Germany	Unlearned	Dissipated	do	do
E. R.	20	Do.	Oct'r 19th, "	1 year	House breaking	Ohio	Carpenter	Learned	Good	do
W. R.	26	Campbell,	Nov'r 9th, "	5 years	Horse stealing	do	do	do	do	do
I. S.	46	Lincoln,	March 14th, 1829.	2 do	Manslaughter	Ireland	Weaver	Can read	do	Pardon. Good
A. S.	17	Jefferson,	May 28th, "	1 year	Felony	Ohio	do	do	do	do
J. S.	22	Do.	March 5th, 1830.	1 do	do	Kentucky	do	do	do	do
R. S.	42	Perry,	August 9th, "	2 years	Stealing cloth	New York	Shoe maker	do	Bad	do
M. R. T.	53	Fayette,	February 24th, 1830.	4 do	Passing cft money	Virginia	Farmer	do	Good	do
I. T.	39	Do.	Do do	4 do	do do	do	Blacksmith	do	Suspicious	do
J. T.	44	Woodford,	September 27th, "	4 do	do do	do	Gentleman	do	do	do
G. T.	70	Clarke,	October 11th "	1 year	Stealing	do	Farmer	do	do	do
M. T.	20	Fayette,	March 9th, 1830.	4 years	do horse	Kentucky	Skinner	do	do	do
W. U.	20	Jefferson,	February 5th, "	4 do	Dropping pigeon	Ohio	Swindler	do	Bad	Bad
J. W.	23	Madison,	Sept'r 22d, 1829.	1y. 6m.	Stealing clothes	Kentucky	Blacksmith	do	Good	do
J. W.	26	Jefferson,	February 15th, 1830.	2 years	Felony	Pennsylvania	Carpenter	Learned	do	do
I. W.	36	Lincoln,	June 1st "	8 do	Horse stealing	Virginia	Shoe maker	do	do	do
J. W.	28	Jefferson,	June 15th, "	1 year	Felony	Kentucky	Farmer	do	do	do
P. H.	22	Pike,	Nov'r 8th, "	1 do	do	Kentucky	do	do	do	do
J. M.	23	Mason,	Nov'r 28th, "	3y. 7m.	do	do	do	do	do	do
W. R.	33	Campbell,	Nov'r 9th, "	5 years	Horse stealing	do	Rambler	do	do	2d conviction
A. T.	22	Boone,	Nov'r 19th, "	6 do	Money do	Pennsylvania	do	do	Bad	do
T. E.	21	Hickman,	December 4th, "	3 do	do do	Ohio	do	do	do	do
I. S.	2	Garrard,	June 18th, "	2 do	Cloth do	New York	Shoe maker	Learned	do</td	



The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Turner—1. A bill to reduce the number of justices of the peace in the county of Madison, and for other purposes.

By Mr Ray—2. A bill to continue in force an act for the benefit of the Headright and Tellico settlers, and for other purposes.

By Mr Lackey—3. A bill to extend the terms of the Floyd and Pike circuit courts.

By Mr Speedsmith—4. A bill to amend an act entitled, "an act to provide for the erection of two bridges across Rockcastle river, approved January 29, 1830."

By Mr. Rodes—5. A bill to provide for the sale of a tract of land belonging to the heirs of James Broaddus, deceased.

By Mr Churchill—6. A bill concerning election precincts in Jefferson county.

By Mr. Turner—7. A bill to amend the law concerning executors and administrators.

By Mr Lackey—8. A bill for the benefit of James Honaker.

By Mr. Burns—9. A bill more effectually to prevent swindling.

By Mr Beall—10. A bill to extend the terms of the Nelson circuit court.

By Mr Guthrie—11. A bill more effectually to secure shipwrights and others in their lien against steam boats and other vessels.

By Mr. Tompkins—12. A bill to regulate the fees of Sheriffs and Constables, and for other purposes.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon the rule of the house, constitutional provision and second reading of the first, third, fifth, sixth, seventh, tenth and eleventh bills having been dispensed with, the first and sixth, (the sixth having been amended at the clerk's table,) were ordered to be engrossed and read a third time; the third was amended, and with the amendment was recommitted to a select committee of Messrs. Lackey, Burns and Ward; and the fifth, seventh, tenth and eleventh were committed to the committee for courts of justice for amendment.

And thereupon, the rule of the house, constitutional provision, and third reading of the first bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That Mr Turner carry the said bill to the Senate and request their concurrence.

And then the House adjourned.

THURSDAY, DECEMBER 9, 1830.

The Speaker laid before the house, the report of the commissioners, appointed under an act of the last session of the General Assembly, to contract for, and superintend, the erection of a bridge across Rockcastle river, on the road leading from Richmond to the Cumberland Gap: which was received, read, and laid on the table.

Also, a report from the President of the Bank of the commonwealth, which was read as follows, viz:

*Bank of the Commonwealth of Kentucky,*

FRANKFORT, Dec. 10, 1830.

SIR—The office of President of this institution has recently become vacant, by the resignation of Francis P. Blair, Esq. and the board of directors have appointed me his successor.

Pursuant to an act of the General Assembly, approved January 9, 1830, the Branches have been withdrawn, and the books and effects, of all of them, have been received at this office.

Owing to the great additional labor, which is thrown upon the cashier and clerks, by the withdrawal of the branches, together with the recent reception of two of them, I regret that it is not in my power to lay before the honorable body, over which you preside, a full and complete report of the situation of the bank and its branches, during the first week of the session, as required by the thirteenth section of the charter. Believing, however, that it would meet with the approbation of the Legislature, and with the hope of being able to state the true condition of each debt due the Bank, from the return of the agents, which is deemed more satisfactory than information heretofore received on that subject, the board of directors have advised me to suspend the report, until this desirable object can be obtained, which will be in the course of the ensuing week.

The report will exhibit the situation of the Principal Bank and Branch Districts, up to the 30th November last, inclusive.

Very respectfully,

Your obedient servant,

H. WINGATE, Pres't.

HON. J. J. CRITTENDEN,

*Speaker of the House of Representatives.*

The Speaker also laid before the house, a report from the board of internal improvement for Shelby county, appointed under an act of the last session, which was received, read, and referred to the committee on internal improvement.

Mr. Yantis presented sundry depositions and affidavits in support of the petition of Mary Denton, for a divorce, present-

ed by him on yesterday; which were referred to the committee of religion.

1. Mr. Burns presented the petition of sundry citizens of Morgan county, praying the passage of a law to change the location of a certain state road.

2. Mr. Thomas presented the petition of sundry citizens of Montgomery county, praying that a law may pass, to change the location of the state road leading from Mountsterling to the Virginia line, by way of Prestonsburg, and also for an appropriation out of the public treasury to aid in improving said road.

3. Mr. Hardy presented the petition of the heirs of Parks Parish, praying that a law may pass, appointing a commissioner, and vesting him with power to join such of the heirs as are of age, in selling and conveying a tract of land and some slaves, which are descended to them from their ancestor.

4. Mr Preston presented the petition of William Logan, praying the passage of a law, appointing commissioners to examine into and liquidate his claims against the forty-fifth regiment of Kentucky militia, as judge advocate of said regiment.

5. Mr. Dawson presented the petition of sundry citizens of Allen and Monroe counties, praying that a law may pass, authorizing Samuel Hatter and Isaac Bush to build a mill-dam across Big Barren River.

6. Mr Barlow presented the petition of Isabella Johnston, praying the passage of a law authorizing her to sell and convey a tract of land, devised to her by her husband during his life, and at her death to be divided among her children:

7. Also, the petition of Lynsey Watson, praying that a law may pass, granting him a change of venue, for his trial on an indictment for passing counterfeit money, now pending against him in the county of Monroe.

8. Mr G. W. Williams presented the petition of the heirs of John Lear, deceased, praying the passage of a law, authorizing the Bourbon circuit court to decree and order the sale of a tract of land purchased by their ancestor, and conveyed to them since his death.

9. Also, the petition of Nathaniel Fisher, praying the passage of a law, authorizing the sale of a tract of land belonging to his brother, William, who is an idiot.

10. Mr. Dyer presented the petition of sundry citizens of Ohio county, praying the passegae of a law, authorizing — Taylor and — Shrader to build a mill-dam across Rough creek.

11. Mr. Rudd presented the petition of sundry citizens of Bloomfield, in Nelson county, praying the passage of a law to compel trustees of towns to take an oath of office.

Which petitions were severally received, the reading thereof dispensed with, and referred: the second, to the committee on internal improvements; the fourth, to the committee of claims; the fifth, sixth and tenth, to the committee of propositions and grievances; the third, seventh, eighth, ninth and eleventh, to the committee for courts of justice; and the first, to a select committee of Messrs Burns, Ward and Lackey.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have, agreeable to order, had under consideration the petition of sundry citizens of this state, praying a law may pass, more effectually to prevent the importation of slaves into this Commonwealth, and have come to the following resolution:

*Resolved*, That the said petition be rejected.

2. The committee for courts of justice have also, had under consideration the petition of the heirs of William Denton, praying a law may pass, to authorize the administrator to sell certain real estate, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, the first resolution was laid on the table, and the second concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the duelling law, reported the same, with an amendment, in-lieu of the original bill, which being twice read was concurred in.

*Ordered*, That the said bill be engrossed and read a third time to-morrow.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr. McAfee, from the committee of propositions and grievances—1. A bill to increase the powers of the Trustees of the town of Smithland.

By Mr. Helm, from the committee of claims—2. A bill for the benefit of Andrew Woodley.

3. A bill for the benefit of James Merry.

4. A bill for the benefit of Henry Weddington.

By Mr. Guthrie, from the committee for courts of justice—5. A bill for the benefit of Lucy and John Hackley.

By Mr. Turner—6. A bill to amend the law of descents, and for the distribution of intestates estates.

By Mr. Ray—7. A bill to legalize the election of the Trustees of the town of Liberty.

By Mr. Calhoon—8. A bill to alter the time of holding certain circuit courts.

By Mr. Burns—9. A bill to change the time of holding the Morgan county court.

By Mr Haynes—10. A bill to amend the law relative to securities for executors and administrators.

By Mr. Rudd—11. A bill to alter the mode of summoning jurors—and

By Mr D. White—12. A bill to add an additional term to the Anderson circuit court, for the year 1831.

Which bills were severally received, and read the first time, and ordered to be read a second time.

*Ordered*, That the public printers forthwith print one hundred and fifty copies of the sixth and eleventh bills for the use of the members of this House.

And thereupon, the rule of the house, constitutional provision and second reading of the first, fifth, sixth, seventh, eighth, ninth and tenth bills having been dispensed with, the first, seventh, eighth and ninth bills were severally ordered to be engrossed and read a third time; the fifth was committed to a select committee of Messrs Rudd, Beall and Guthrie; the sixth and tenth to the committee for courts of justice.

And thereupon, the rule of the house, constitutional provision and third reading of the first, seventh, eighth and ninth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

Leave was given to bring in the following bills:

On motion of Mr G. W. Williams—1. A bill to incorporate a fire company in the town of Paris.

On motion of Mr Butler—2. A bill to change the time of holding certain circuit courts in this Commonwealth, and for other purposes.

On motion of Mr Roberts—3. A bill to change the time of holding the county courts of Hardin county, and for other purposes.

On motion of Mr Thomas—4. A bill for the benefit of Thomas Triplett and Moses B. Morrison.

On motion of Mr. Speedsmith—5. A bill to amend the criminal laws of this Commonwealth.

On motion of Mr Dixon—6. A bill to amend the several acts of this Commonwealth establishing a Court of Appeals.

On motion of Mr Burns—7. A bill to provide for completing the road from Beaver Iron Works, by way of West Liberty to Louisa.

On motion of Mr Ward—8. A bill to repeal the law allowing compensation for executed slaves.

Messrs Williams, Hickman and Gass, were appointed a committee to prepare and bring in the first; Messrs Butler, A. White,

Sprigg, Fields, B. Allen, Heady, Robb, Guthrie, Churchill, Crutchfield, D. White, Strother and Gaines, the second; Messrs Roberts, Helm and Beall, the third; Messrs. Thomas, Turner, and Chiles, the fourth; Messrs Speedsmith, Gass and Helm, the fifth; Messrs Dixon, Haynes, Rudd and Ewing, the sixth; Messrs Burns, Lackey, Thomas, Ward and Chiles, the seventh; and Messrs Ward, Burns and White, the eighth.

Mr Russell moved to obtain leave to bring in a bill, authorizing the county courts to permit such jailors in the state, as are considered by them worthy and necessitous, to retail spirituous liquors without license. And the question being taken on granting leave to bring in said bill, it was decided in the negative; and so the said motion was disagreed to.

Mr. Turner moved the following resolution:

*Resolved*, That the committee of ways and means be, and they are hereby directed to ascertain, and report to this house, the amount and value of stock held by the Commonwealth, in the State Bank of Kentucky.

That said committee do ascertain and report the amount and value of the stock held by the state in the Bank of the Commonwealth of Kentucky.

Also, the probable amount of profits arising to the state from said banks, after deducting losses and bad debts; and in making the report, the committee is directed to treat what is called the literary fund as belonging to the Commonwealth.

That said committee, after ascertaining the facts aforesaid, and adding the value of said funds and profits, do ascertain the amount which the treasury was, at the end of the last fiscal year, indebted to those funds, and after deducting the same, that said committee report the amount of the residue.

Which being twice read, was adopted.

Mr. Ward, from the select committee, to whom was referred a bill to extend the terms of the Floyd and Pike circuit courts, reported the same with an amendment, in lieu of the original bill, which being twice read, was concurred in, and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be, "an act to extend and alter the terms of certain circuit courts."

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

An engrossed bill entitled, an act concerning election precincts in Jefferson county, was read a third time, and engrossed clauses added thereto, by way of ryder.

*Resolved*, That the said bill do pass, and that the title thereof be, "an act concerning election precincts in certain counties."

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

And then the House adjourned.

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FRIDAY, DECEMBER 10, 1830.

1. Mr Barlow presented the petition of William Whitworth, praying a divorce from his wife, Patsey Whitworth.

2. Mr Helm presented the remonstrance of sundry citizens of Grayson, Hart and Hardin counties, against the formation of a new county out of parts of said counties.

3. Mr Colglazer presented the petition of sundry citizens of Bracken county, praying the repeal of so much of an act of Assembly, passed in 1822, entitled, "an act to incorporate the Trustees of the Augusta College," as directs that "the proceeds of ten thousand dollars, belonging to the Bracken county seminary, shall be paid to the Augusta College;" and praying that the same may be applied to the support of common schools in said county; and that a law may pass authorizing the trustees of the Bracken Seminary to sell their seminary lot in Augusta.

4. Mr Hardy presented the petition of sundry citizens of Barren county, praying an appropriation out of the public treasury, to aid in improving the navigation of Little Barren River.

5. Mr Thomas presented the petition of sundry citizens of Montgomery county, praying that a law may pass, extending relief to the securities of Edward Stockton, late cashier of the Branch Bank of the Commonwealth, at Mountsterling.

6. Mr Haynes presented the petition of James Morse, late sheriff of Caldwell county, praying that a law may pass, giving him and his deputies the further time of one year to collect his fee bills and militia fines.

7. Also the petition of M. A. Rucker, praying that a law may pass giving him the further time of one year, to return his delinquent list of militia fines, in the 84th regiment of Kentucky militia.

8. Mr Murray presented the petition of Nicholas Keating and Hawkins Gregory, praying that a law may pass, granting remuneration for money expended by them, in bringing to justice, John Eutrican, on a charge of manslaughter.

9. Mr Hardy presented the petition of sundry citizens of Barren county, praying the establishment of an election precinct, in the north-east corner of said county.

Which petitions and remonstrance were severally received, the reading thereof dispensed with, and referred: the first, to the committee of religion; the second, to the committee of propositions and grievances; the third, to the committee on education; the fourth, to the committee on internal improvements; the fifth, to the select committee appointed to prepare and bring in a bill on the same subject; the sixth and seventh, to a select committee of Messrs Haynes, Fowler and James; the eighth, to the committee on claims; and the ninth, to the committee of privileges and elections.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have, agreeable to order, had under consideration the petition of James C. Rush, praying the passage of a law, authorizing the sale of some real estate of Peter Stephens Rush, his infant son, and have come to the following resolution:

*Resolved*, That said petition be rejected.

The committee for courts of justice, have also had under consideration the petition of Richard Thomas, praying that a law may pass, authorizing the sale of an estate in remainder, in a negro woman, slave of John Thomas, an infant, and have come to the following resolution:

*Resolved*, That said petition be rejected.

The committee have also had under consideration the petition of Mary Peyton, praying the passage of a law authorizing the sale of certain real estate, belonging to her infant children, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

A message was received from the Senate announcing the passage of bills of the following titles:

An act to authorize the Trustees of the town of New Castle to sell a part of the public ground in said town.

An act to incorporate the Pilot Knob meeting house in Simpson county.

An act for the benefit of Francis Paca, Letitia Preston and Elizabeth Dallam--and

An act for the benefit of Daniel Trabue and others.

Mr. Guthrie, from the committee for courts of justice, to which was referred a bill to provide for the sale of a tract of land belonging to the heirs of James Broaddus, deceased, reported the same without amendment; and the question being taken on engrossing the said bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

The following bills were reported by the several committees appointed to prepare and bring in the same:

By Mr. Yantis—1. A bill to authorize the Garrard county court to erect gates across certain roads.

By Mr. Roberts—2. A bill to authorize the county court of Hardin county, to appoint an additional constable for Hardin county, to reside in the first constable's district in said county.

By Mr. Thomas—3. A bill making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon.

By Mr. G. W. Williams—4. A bill to organize a fire company in the town of Paris.

By Mr. Hunton—5. A bill for the benefit of Samuel Blain.

By Mr. Phelps—6. A bill to amend an act, entitled, "an act providing a remedy against bail in civil actions, approved January 29, 1829."

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, third and sixth bills having been dispensed with; the first was committed to a select committee of Messrs. Yantis, S. Williams, Rodes and Stewart; the third, to the committee of internal improvements; the sixth, to the committee for courts of justice; and the second having been amended, was ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the second bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be, an act to authorize the county courts of Hardin and Knox to appoint additional constables.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Leave was given to bring in the following bills:

On motion of Mr Guthrie—1. A bill to authorize the President, Managers and Company of the Louisville and Portland Turnpike, to construct a rail road from Louisville to Portland.

On motion of Mr J. T. Morehead—2. A bill to incorporate the Louisville and Portland Rail Road Company.

On motion of Mr McAfee—3. A bill for the benefit of Francis McMurdie.

On motion of Mr Phelps—4. A bill to amend an act entitled, "an act establishing the town of Covington."

On motion of Mr Helm—5. A bill to appropriate six hundred dollars, to aid in erecting a bridge across Nolin, where the road, leading from Louisville to Nashville crosses the same.

On motion of Mr Ewing—6. A bill for the benefit of James B. Bernard.

On motion of Mr Wilson—7. A bill to authorize the justices of the peace of this Commonwealth, to require proof of the facts upon which the fears of the individual applying for a peace warrant are founded, and for other purposes.

On motion of Mr Beall—8. A bill to amend the several laws, in opening and changing the public roads in this Commonwealth.

On motion of Mr Rudd—9. A bill to incorporate a turnpike road from Louisville to Bardstown, and on to Springfield and Lebanon—and

On motion of Mr Butler—10. A bill to authorize the board of internal improvement of Shelby county, to erect a toll gate.

Messrs. Guthrie, Churchill and Robb, were appointed a committee to prepare and bring in the first; Messrs J. T. Morehead, Roberts and Churchill, the second; Messrs McAfee, A. Johnson, E. L. Johnson, Tomlinson and Tompkins, the third; Messrs. Phelps, Gaines and Valandigham, the fourth; Messrs Helm, Roberts and J. T. Morehead, the fifth; Messrs Ewing, P. Morehead and W. J. Williams, the sixth; Messrs Wilson, True, Curd and Russell, the seventh; Messrs Beall, Helm and Rudd, the eighth; Messrs. Rudd, Guthrie, Spalding, Girton, Beall and Grigsby, the ninth—and Messrs Butler, Sprigg and A. White, the tenth.

Mr Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to incorporate the Madison Library.

An act for the benefit of the sheriffs of Bath and Montgomery counties.

An act to repeal an act entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties, so far as the same embraces the county of Bath, and for other purposes."

An act to authorize the insertion of certain advertisements in the "Political Examiner and General Recorder," and in the "American" and "Union."

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

Mr Burns read and laid on the table, a joint resolution, fixing on a day for the election of President and Directors of the bank of the Commonwealth of Kentucky, and a president and directors of the bank of Kentucky, a treasurer, and public printer.

Mr. Chiles moved the following resolution, viz:

*Resolved*, That the committee for courts of justice be instructed to enquire into the expediency of a law, to authorize justi-

ces of the peace, on petition filed, to subject choses in action to the payment of debts.

Which being twice read, was adopted.

Mr. Henderson moved to obtain leave to bring in a bill to take the sense of the good people of this Commonwealth, as to the propriety of calling a convention. And the question being taken on granting leave to bring in said bill, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Yantis and Henderson, were as follows, viz:

YEAS—Messrs B. Allen, Baker, Barlow, Burns, Cassidy, Chiles, Chowning, Colglazer, Copeland, Dawson, Dickson, Ewing, Fields, Gaines, Gruniry, Guthrie, Hall, Hardy, Hayes, Haynes, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, P. Morehead, Murray, Norvill, Patterson, Patton, Phelps, Preston, Ray, Robb, Roberts, Rudd, Russell, Sisk, Smith, Strother, Thomas, Tomlinson, Tompkins, Vallandigham, Ward, S. Williams, and W. J. Williams—50.

NAYS—Mr SPEAKER, Messrs C. Allan, Anderson, Barrett, Beall, Brown, Butler, Calhoon, Chambers, Churchill, Colyer, Crutchfield, Curd, Dyer, Fowler, Gass, Girton, Grigsby, Harris, Heady, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, New, Patrick, Pierce, Rodes, Shanks, Speedsmith, Spalding, Sprigg, Stewart, Stotts, True, Turner, A. S. White, D. White, Whittington, G. W. Williams, Wilson, Wortham and Yantis—49.

*Ordered*, That Messrs Henderson, Hardy, B. Allen and Phelps be appointed a committee to prepare and bring in said bill.

An engrossed bill entitled, an act to amend the duelling law, was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were severally read a second time, viz:

1. A bill to continue in force, "an act for the benefit of the Headright and Tellico settlers, and for other purposes."

2. A bill to amend an act entitled, "an act to provide for the erection of two bridges across Rockcastle River, approved January 29, 1830."

3. A bill for the benefit of James Honaker.

4. A bill more effectually to prevent swindling.

5. A bill to regulate the fees of sheriffs and constables, and for other purposes.

6. A bill for the benefit of Andrew Woodley.

7. A bill for the benefit of James Merry.

8. A bill for the benefit of Henry Weddington.

9. A bill to amend the law of descents, and for the distribution of intestates' estates.

10. A bill to add one additional term to the Anderson circuit court, for the year 1831.

The first, second, third, sixth, seventh, eighth and tenth were ordered to be engrossed and read a third time; and the fourth, fifth and ninth, committed to the committee for courts of justice.

And thereupon, the rule of the house, constitutional provision and third reading of the first, third, sixth, seventh and eighth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That that the clerk carry the said bills to the Senate and request their concurrence.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time, viz:

1. An act to incorporate the trustees of the Pilot Knob meeting house, in Simpson county.

2. An act for the benefit of Francis Paca, Letitia Preston and Elizabeth Dallam.

3. An act for the benefit of Daniel Trabue and others—and

4. An act to authorize the trustees of the town of Newcastle to sell a part of the public square in said town.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first and fourth bills having been dispensed with:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

The house took up a resolution, laid on the table, by Mr. Ward, for appointing joint committees to examine the public offices which was twice read, and adopted, in the following words:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That a joint committee of three from the Senate and six from the House of Representatives, be appointed to examine the Auditor's office; and three from the Senate and six from the House of Representatives, to examine the Treasurer's office; and three from the Senate and six from the House of Representatives, to examine the Register's office.

*Ordered*, That Mr. Ward carry the said resolution to the Senate and request their concurrence.

Mr S. Williams moved the following resolution:

*Resolved*, That that the Auditor of Public Accounts report to this house, the full amount of the expenses of the last legisla-

ture, including the printing of the bills, laws and journals, and all other incidental expenses, as soon as practicable.

And the question being taken on the adoption of said resolution, it was decided in the negative.

And then the House adjourned.

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SATURDAY, DECEMBER 11, 1830.

1. Mr J. T. Morehead presented the petition of James Lindsey, praying that a law may pass, authorizing him to build a mill-dam across Green river, above the mouth of Nolin.

2. Mr. Rudd presented the petition of the widow and heirs of Nehemiah Webb, praying the passage of a law, to authorize the sale of a tract of land, mill, &c.

3. Mr. Burns presented the petition of Patsey Rice, praying a divorce from her husband, George Rice.

4. Mr Vallandigham presented the petition of sundry citizens of Gallatin county, praying to be added to the county of Grant.

5. Mr Henderson presented the petition of Archibald Frizles, praying that a law may pass, permitting him to renew his bond as coroner of Lewis county.

6. Mr Chambers presented the petition of Benjamin Ball, praying compensation for the attendance of himself and sons as witnesses, on the trial of Isaac B. Desha, in the Harrison circuit court.

7. Mr Wilson presented the petition of Andrew McCalla, praying that the balance remaining unpaid, of a sum allowed him by the commissioners of the Lunatic Assylum, may be appropriated for his use, out of the public treasury.

8. Mr Preston presented the petition of John Nevill, praying the passage of a law to authorize him to draw from the state treasury, the state price on fifty-nine acres of land, which he has lost by a superior title.

9. Mr Copeland presented the petition of Margaret A. Cooper, praying a divorce from her husband, Samuel Cooper.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, to the committee of internal improvements; the third and ninth, to the committee of religion; the fourth and fifth, to the committee of propositions and grievances; the sixth, seventh and eighth, to the committee of claims; and the second, to a select committee of Messrs. Rudd, Beall and Girton.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have, according to order, had under consideration many petitions to them referred, and have come to the following resolutions:

*Resolved*, That the petition of Lynsey Watson, praying for a change of venue, be rejected.

*Resolved*, That the petition of Nathaniel Fisher, praying the passage of a law to authorize the sale of certain lands, belonging to William Fisher, an idiot, be rejected.

*Resolved*, That the petition of the heirs of Parks Parish, praying for the passage of a law to authorize the sale of certain lands, be rejected.

*Resolved*, That the petition of Mary Hawkins, praying for the passage of a law to authorize the sale of a reversionary interest in certain lands, belonging to her infant children, by devise, be rejected.

*Resolved*, That the petition of the widow and heirs of John Lear, deceased, praying for the passage of a law, to authorize the sale of certain lands, be rejected.

*Resolved*, That no legislation is required, on the petition of certain citizens of Nelson county, praying for the passage of a law requiring the trustees of towns to take an oath of office. The committee are of opinion, that the trustees of towns are officers, recognized by the constitution, and as such are required to take the oaths of office prescribed thereby.

Which being twice read, was concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill to extend the terms of the Nelson circuit court, reported the same without amendment.

*Ordered*, That the said bill be engrossed, and read a third time on Monday next.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined an enrolled bill entitled, an act for the benefit of the clerk of the Spencer circuit court and the clerk of the circuit and county courts of Clay, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

Mr Hardy, from the committee of religion, made the following report.

The committee of religion have, according to order, had under their consideration the petition of Elizabeth Shields, praying a divorce, and have directed me to report, that in their opinion, said petition is reasonable.

They have also had under their consideration the petition of Alsey Chaston, praying a divorce, and have come to a resolution:

*Resolved*, That said petition be rejected.

Which being twice read, (the first resolution having been amended by striking out the words *is reasonable*, and inserting in lieu thereof the words *be rejected*,) was concurred in.

A message was received from the Senate announcing the passage of bills of the following titles:

An act to repeal all laws allowing corporations or bodies politic, to issue licenses for the sale of lottery tickets, and for other purposes—and

An act for the benefit of the infant heirs of Elijah Warner, deceased.

Mr McAfee, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, to whom was referred the petitions of sundry citizens of Hardin, Grayson and Hart counties, praying for a new county, to be formed out of parts of the aforesaid counties, have had the same under consideration, and have come to the following decision.

*Resolved*, That said petition is reasonable.

2. The committee have also had under consideration the petition of sundry citizens of Pulaski county, praying that they may be added to the county of Wayne, and have come to the following decision:

*Resolved*, That said petition is reasonable.

3. The committee have also had under consideration the petition of sundry citizens of the county of Ohio, praying that a mill may be erected on Rough creek in said county, by Thomas Taylor and George Shrader's heirs, and have come to the following decision:

*Resolved*, That said petition is reasonable.

4. The committee have also had under consideration the petition of Flora N. E. Harding, praying that a law may pass, authorizing her to retain possession of her child, and to prevent her husband, Albert Harding, who has abandoned her, from taking said child from her, and have come to the following decision:

*Resolved*, That said petition is reasonable.

Which being twice read, (the first resolution having been amended by striking out the words *is reasonable*, and inserting in lieu thereof the words *be rejected*,) the first, second and fourth resolutions were concurred in, and the third was laid on the table.

*Ordered*, That the said committee prepare and bring in bills pursuant to the second and fourth resolutions.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Guthrie, from the committee for courts of justice—1. A bill to change the venue, for the trial of David Turnham.

2. A bill to amend the several acts in relation to ferries.

By Mr Hardy, from the committee of religion—3. A bill for the divorce of Thomas Neall.

Which bills were severally received, and read the first time, and ordered to be read a second time.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor has approved and signed sundry enrolled bills which originated in this house of the following titles:

An act for the benefit of the sheriffs of Bath and Montgomery counties.

Also, an act to authorize the insertion of certain advertisements in the “Political Examiner and General Recorder” and in the “American” and “Union.”

Also, an act to repeal an act entitled, “an act to amend the law in relation to opening and repairing the public roads in certain counties, so far as the same embraces the county of Bath, and for other purposes.”

Also, an act to incorporate the Madison Library—and

An act for the benefit of the clerk of the Spencer circuit court, and the clerk of the circuit and county courts of Clay.

And then he withdrew.

*Ordered*, That Mr Barlow inform the Senate thereof.

An engrossed bill entitled, an act to amend an act entitled, “an act to provide for the erection of two bridges across Rockcastle river, approved January 29, 1830,” was read a third time and committed to the committee on internal improvements.

The following bills were severally read a second time:

1. A bill for the benefit of Samuel Blain.

2. A bill to organize a fire company in the town of Paris.

3. A bill from the Senate, entitled, an act for the benefit of Francis Paca, Letitia Preston and Elizabeth Dallam.

4. A bill from the Senate, entitled, an act for the benefit of Daniel Trabue and others.

The first and third were referred to the committee for courts of justice, and the second and fourth were severally ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of the second bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills from the Senate, were severally read the first time, viz:

1. An act to repeal all laws allowing corporations or bodies politic to issue licenses for the sale of lottery tickets, and for other purposes--and

2. An act for the benefit of the infant heirs of Elijah Warner, deceased.

The first was ordered to be read a second time; and the question being taken on reading the second bill a second time, it was decided in the negative, and so the said bill was rejected.

*Ordered,* That the clerk inform the Senate thereof.

And thereupon the rule of the house, constitutional provision and second reading of the first bill having been dispensed with, the same was referred to the committee for courts of justice.

And then the House adjourned.

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*MONDAY, DECEMBER, 13, 1830.*

1. Mr S. Williams presented the petition of sundry citizens of Wayne county, praying that a law may pass, allowing an additional justice of the peace to said county.

2. Mr Guthrie presented the petition of the attorneys at the Louisville bar, praying an increase of the salary of the judge and prosecuting attorney, of the fifth judicial district.

3. Mr Chambers presented the petition of sundry citizens of Mason county, praying that a law may pass, authorizing the county court of said county to appoint an additional Constable.

4. Mr Heady presented the petition of sundry citizens of Spencer county, praying the repeal of an act of Assembly, declaring salt river navigable, above Thomas Goodwin's mill-dam.

5. Mr Hardy presented the petition of sundry citizens of Barren county, praying that a law may pass, authorizing James Jones to erect a mill-dam across the south fork of Little Barren river.

6. Mr Patrick presented the petition of sundry citizens of Perry county, praying the repeal of a law of the last session, authorizing the county court of said county, to sell and convey the seminary lands of said county, and that the funds belonging to the seminary, may be appropriated to the opening of a road from the Estill county line, by the way of Perry court house, to the Virginia state line.

7. Mr Crutchfield presented the petition of Preston S. Loughborough, praying compensation for acting as Commonwealth's attorney, at a called term of the Anderson circuit court.

8. Mr Roberts presented the petition of Thomas Scott, praying a divorce from his wife, Levina.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, second and seventh, to the committee for courts of justice; the fourth and fifth, to the committee of propositions and grievances; the sixth, to the committee on internal improvements; the eighth, to the committee of religion; and the third, to a select committee of Messrs. Chambers, J. K. Marshall and Vallandigham

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill, more effectually to secure shipwrights and others, in their lien on steamboats and other vessels, reported the same with amendments, which being twice read, were concurred in.

*Ordered,* That the said bill be engrossed and read a third time, and that the public printers forthwith print one hundred and fifty copies thereof, for the use of the members of this house.

A message was received from the Senate, announcing the passage of bills which originated in the House of Representatives, of the following titles:

An act to continue in force, an act for the benefit of the Head-right and Tellico settlers, and for other purposes.

An act for the benefit of James Honaker.

An act to increase the powers of the Trustees of the town of Smithland.

An act to legalize the election of Trustees of the town of Liberty.

Their concurrence in a resolution which originated in the House of Representatives, to appoint joint committees to examine the public offices.

And the concurrence of the Senate in the amendment made by this house, to a bill from the Senate entitled, an act to incorporate the Pilot Knob meeting house in Simpson county.

Also, the passage of bills which originated in the Senate of the following titles:

An act for the benefit of John Judd.

An act for the benefit of the heirs of Henry Perkins, deceased.

An act for the benefit of John Staton.

Leave was given to bring in the following bills:

On motion of Mr Guthrie—1. A bill to incorporate the Ohio Bridge Company.

On motion of Mr Love—2. A bill more effectually to prevent the importation of slaves into this Commonwealth as merchandise.

On motion of Mr Turner—3. A bill to repeal an act entitled, "an act to encourage the general diffusion of education in this

Commonwealth, by the establishment of a uniform system of public schools, approved 29th January, 1830."

On motion of Mr Ray—4. A bill to appropriate some of the vacant lands of Casey county, to improve the road leading from the town of Liberty to where the said road crosses the Rolling Fork, near Timothy Goodie's, in a direction to Springfield

On motion of Mr Preston—5. A bill to incorporate a company to build a bridge across Big Barren river, at the state ford in Barren county, and for other purposes.

On motion of Mr James—6. A bill to amend an act, passed December 21, 1820, for the benefit of poor widows.

On motion of Mr Helm—7. A bill to improve the navigation of Nolin.

On motion of Mr Barlow—8. A bill to amend the several laws in relation to vacant lands in this Commonwealth, and for other purposes.

On motion of Mr Hardy—9. A bill to amend the law concerning divorces.

On motion of Mr A. Johnson—10. A bill to amend the rioting law of this Commonwealth.

On motion of Mr G. W. Williams—11. A bill to amend "an act to amend the laws in relation to absent defendants."

On motion of Mr Thomas—12. A bill to amend an act entitled, an act for the improvement of the road from Mountsterling, by way of Irvine to Manchester, to intersect the wilderness state road, approved January 29, 1830.

On motion of Mr Patton—13. A bill to reduce the number of musters in this Commonwealth, in each year, and for other purposes.

On motion of Mr Ward—14. A bill to authorize David and John Trimble, to erect a mill dam across Little Sandy river, at the blue ripple.

On motion of Mr Mize—15. A bill to appoint commissioners to settle with the Trustees of the Estill Seminary lands, and for other purposes.

On motion of Mr Sprigg—16. A bill to extend the right of peremptory challenge in criminal cases, and for other purposes.

On motion of Mr Roberts—17. A bill to appropriate two thousand dollars, for the purpose of improving the navigation of the Rolling Fork of Salt River.

On motion of Mr Burns—18. A bill to amend the law in relation to riots, routs, unlawful assemblies and breaches of the peace—and

On motion of Mr E. L. Johnson—19. A bill to amend the laws in relation to the duties of justices of the peace, and for other purposes.

Messrs Guthrie, Churchill and Robb, were appointed a committee to prepare and bring in the first; Messrs Love, J. T. Morehead, Guthrie and McAfee, the second; Messrs Turner, Speedsmith and Rodes, the third; Messrs Ray, Rudd, S. Williams and Spalding, the fourth; Messrs Preston, Hardy and Dawson, the fifth; Messrs James, Haynes and Fowler, the sixth; Messrs Helm, Roberts and Wortham, the seventh; Messrs Barlow, Love, J. T. Morehead and Dawson, the eighth; Messrs Hardy, J. T. Morehead and Love, the ninth; Messrs A. Johnson, Helm and Phelps, the tenth; Messrs G. W. Williams, Chiles and Russell, the eleventh; the committee on internal improvements, the twelfth; Messrs Patton, New, Ewing and Beall, the thirteenth; Messrs Ward, Burns and Henderson, the fourteenth; Messrs. Mize, Turner and Speedsmith, the fifteenth; Messrs. Sprigg, Dixon, Grigsby and Roberts, the sixteenth; Messrs Roberts, Beall, Rudd, Helm, Grigsby and Grundy, the seventeenth; Messrs Burns, Love and Ward, the eighteenth, and Messrs E. L. Johnson, Love and Speedsmith, the nineteenth.

Mr. Lackey, from the select committee, to whom was referred, a bill to authorize the Garrard county court to erect gates across certain roads, reported the same with amendments, which being twice read, were concurred in.

*Ordered*, That the said bill, as amended, be recommitted to the committee on internal improvements.

Mr Rudd, from the select committee to whom was referred a bill for the benefit of Lucy and John Hackley, reported the same, with an amendment, in lieu of the original bill, which being twice read, was adopted.

And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

The Speaker laid before the house, the annual report of the President of the Bank of Kentucky, exhibiting the situation of said institution, which is in the following words:

BANK OF KENTUCKY,  
December 11, 1830. }

THE HON. JOHN J. CRITTENDEN,

*Speaker of the House of Representatives.*

SIR—I have the honor to transmit herewith, a general statement of the condition of this institution, on the 10th inst. inclusive.

In the statement which I had the honor of submitting to the Legislature at its last session, it was shown that the State of Kentucky then held an interest in this institution, exclusive of the residuary interest of one fifth on each share of stock, superior in amount to that of individual and corporate stock holders inclusively. And it will now be seen by reference to the enclosed document, that this inequality of interest has increased by a corresponding diminution of individual stock. The entire amount of capital stock, exclusive of the residuary interest now held in this institution, is 11,381 shares, amounting nominally to the sum of \$398,097, of which the State of Kentucky is the owner of 5,967 shares, equal to \$208,845, and individuals and corporations own 5,414 shares, amounting to \$189,252, which exhibits a fact worthy of notice, that the interest of the State now exceeds that of individual and corporate stockholders by 553 shares, or \$19,593, being an increase of that interest within the current year of \$12,161.

It will be seen on reference to the general statement herewith submitted, that the "current profits" of this institution since the 31st of December last, amount to the sum of \$23,793 38, and that the "current expenses" for the same period, to the sum of \$8,070 70, leaving an excess of clear and nett gain accruing to the bank since the 31st day of December last, of \$15,722 68; which sum will, on the 31st inst. be transferred to the general account of "surplus profits."

Within the current year, notes of the corporation made payable to bearer, which were then in circulation, amounting to the sum of \$1,908 25, have been redeemed at the office of the institution, by payment in silver, and were subsequently cancelled and burnt in the presence of the Auditor and Treasurer of this State, in conformity with the requisitions of an act of the General Assembly, which reduces the amount of notes now in circulation to \$33,894 39. Since the 31st day of December last, this institution has, in the collection of debts, redeemed of its capital stock, 374 shares. It has also, by means of negotiations and compromises with individuals, for bad debts, the sale of unproductive real estate, which was subject to *depreciation* and otherwise diminishing in value, without any *reasonable* prospect of *appreciation*, effected a redemption of 521 shares of the residuary interest, amounting nominally to \$10,420, leaving in the hands of individuals 9,991 shares of such residuary interest, amounting to the sum of \$198,700. The real estate sold and otherwise disposed of since the 31st day of December last, amounts to the sum of \$50,464 50, the whole of which was, by *express stipulation* paid, or made payable, in notes of the corporation, its capital stock, or gold and silver, while none has been acquired by sales under execution, decrees in chancery or otherwise; although it is deeply regretted that the losses on the sales of real estate are immense, when the prices obtained for it are compared with those at which the bank was compelled to receive it; (and this was gener-

ally at the valuation of disinterested individuals;) yet some consolation is to be found in the fact, that such loss has not equalled the basis of calculation upon which estimates have heretofore been founded. But the precise extent of loss cannot be stated, for in the arrangement and settlement of many large debts due the institution from individuals, where money could not be obtained, it was not unusual to receive in payment sundry pieces of property estimated at a gross sum, and until the *whole* property thus received, is disposed of, the actual and precise loss cannot be ascertained. It is particularly worthy of remark, however, that the greatest losses yet apprehended as liable to be sustained, are in that portion of the property which remains unsold, as it is generally the least desirable and least valuable. The system adopted some time ago by the board of directors, in causing the improved property calculated for rent or lease, to be put in good repair and leased out, and the rents to be regularly collected, has been productive of the best practical results, and will, to some extent, diminish the great loss anticipated in that remaining to be sold. The president and directors have, in conformity with the *known* wishes of the stockholders in the Bank of Kentucky, used great exertions to dispose of the real estate belonging to the institution, and have, with a view of facilitating that operation, caused experiments to be made at different points in the state, by sales at public auction, under the immediate superintendance of the president, which, (with one exception) resulted most unhappily for the interest of the institution; they have, therefore, been driven to the necessity for the present, of relying on a slow, but more certain and safe, mode of selling the real estate by private negotiation; and I have pleasure in stating, that few applications have been made, or negotiations opened, in good faith, for the purchase of any real estate belonging to the institution, which has not resulted in a sale to the applicant, and generally, upon terms, under existing circumstances, considered favorable to the bank. The president and directors having a perfect knowledge that the institution was relieved of all embarrassment and difficulty, and that there was a specie fund on hand more than equivalent to any demand that could be made upon it, whether for the redemption of its notes or otherwise, availed themselves of the power given them by an act of the last General Assembly, to distribute the surplus silver, and on the first day of May last, ordered a distribution to be made and paid to the stockholders of five dollars on each share of the capital stock, *one half* in silver, the other in notes of the bank of the Commonwealth. This being done, it produced to the state of Kentucky, which was paid to the Treasurer, \$14,917 50 in silver and a like amount in notes of the bank of the Commonwealth; and I derive great pleasure in stating, such is the prosperous condition of the bank at this moment, that a similar distribution will be made on the first of January next.

In relation to the "current expenses" of the institution, it is proper for me to state, that the president and directors have given to that subject the attention which its importance required; and that by a comparison of the document now submitted, with that for the year ending the 10th of December, 1829, it will be seen that the annual expenses have been reduced \$2,270 73 cents. They have also caused a reduction to be made in the salaries of such of their officers or agents as in their estimation bore a corresponding proportion to the diminution in their respective labors.

The enquiry may be made by the Legislature or stockholders, why the concerns of the bank have not been closed or nearly so; if the notes of individuals have been kept under discount and the calls regularly paid as prescribed by an act of the General Assembly, repealing the charter of this bank? The answer to this enquiry is ready, and of no difficult task. It is readily admitted that, if the original calls made upon all notes due in the institution, had been regularly paid, the whole debt now due from individuals, (exclusive of that for the purchase of real estate,) would have been discharged; but it must be recollect that at the period alluded to, the notes of individuals, amounting to not less than one million of dollars, were lying over, or in suit, a large proportion of which debts were considered *doubtful* or *bad*. It then became an object of the first importance with the board of directors, to secure the ultimate payment of those debts, and inducements were held out to the debtors thus situated, by an offer of time and suspension of calls, to give additional security, by which operation a large amount of debts of this description have been made perfectly secure, either by the original debtors or the substitution of entire new parties.

Before closing this communication it is but justice in me to state, that the harmony and zeal with which the directors and each officer and agent of the institution have co-operated in promoting the great, important and widely spread interest of the bank, has resulted in a greater degree of success than they had any good reason to hope or expect. And it is confidently believed that *like efforts* with *like results* the ensuing year, will place the concerns of the institution in such a condition that the president and directors can, by throwing an additional degree of labor on the immediate officers of the bank, dispense with *two*, if not the *three*, agencies now attached to it, and that they will then be able to look to its final dissolution at no distant period.

I have the honor to be, respectfully,

P. DUDLEY, President.

*Statement of the situation of the Bank of Kentucky, December 10, 1830.*

Due to other Banks,	- - - - -	337 97
Notes issued,	- - - - -	33,894 39
Surplus profits,	- - - - -	274,149 50

[DEC. 13.

Current profits,	-	-	-	-	-	-	23,793	38
Stock,	-	-	-	-	-	-	398,097	00
Do. residuary,	-	-	-	-	-	-	198,700	00
Due to individuals,	-	-	-	-	-	-	74,972	78
<hr/>								\$1,003,945 02
Current expenses,	-	-	-	-	-	-	\$ 8,070	70
Due from other Banks,	-	-	-	-	-	-	27,511	36
Real estate,	-	-	-	-	-	-	297,766	23
Due from individuals,	-	-	-	-	-	-	589,121	55
Defalcation at branches,	-	-	-	-	-	-	26,918	99
<hr/>								
CASH ON HAND,								
Silver,	-	-	-	-	-	-	\$ 3,595	30
Notes of Specie Banks,	-	-	-	-	-	-	21,568	14
Do. Bank of the Commonwealth,	-	-	-	-	-	-	28,126	75
Do. of uncurred Banks,	-	-	-	-	-	-	1,022	00
Kentucky notes,	-	-	-	-	-	-	244	00—54,556
<hr/>								19
							\$1,003,945	02

Attest,

H. BLANTON, Clerk.

Mr Phelps moved the following resolution, viz:

*Resolved*, That that the committee of education be requested to enquire into the expediency and propriety of providing for, and establishing a general system of education for this Commonwealth.

Which being twice read, was adopted.

Mr Chiles moved the following resolutions, viz:

1. *Resolved*, That the committee of religion be instructed to report, unreasonable, all petitions for divorces, where the cases are now provided for by the general law.

2. *Resolved*, That if applications for divorces shall come before said committee, not now provided for, in which divorces ought, in their opinion, to be granted, that they be instructed to report amendments to the general laws, on that subject, embracing such classes of cases, and such other class, as they may think advisable, in lieu of bills providing for individual cases.

Which being twice read, was adopted.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr. McAfee, from the committee of propositions and grievances—1. A bill to add a part of Pulaski county to the county of Wayne.

By Mr Roberts—2. A bill to change the time of holding certain county courts, and for other purposes.

By Mr Thomas—3. A bill for the benefit of Moses B. Morrison and Thomas Triplett.

By Mr Heady—4. A bill to amend an act entitled, an act to incorporate a company to build a bridge across Salt River at the town of Taylorsville.

By Mr Chambers—5. A bill to authorize the appointment of an additional constable for the county of Mason.

By Mr Ewing—6. A bill for the benefit of James B. Bernard.

By Mr Burns—7. A bill to authorize John Gose to change a part of the state road in Morgan county.

By Mr Ward—8. A bill to repeal the law, allowing pay for slaves executed.

By Mr Haynes—9. A bill for the benefit of James Morse.

10. A bill for the benefit of Morton A. Rucker, late sheriff of Caldwell county—and

By Mr Beall—11. A bill to amend the several laws concerning the opening and changing of the public roads.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the second, fifth, sixth, ninth, tenth and eleventh bills having been dispensed with, the second, fifth, sixth, ninth and tenth, (the second and fifth having been amended,) were severally ordered to be engrossed and read a third time, and the eleventh was committed to the committee on internal improvement.

And thereupon, the rule of the house, constitutional provision and third reading of the second, fifth, sixth, ninth and tenth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass; that the titles of the second, sixth, ninth and tenth, be as aforesaid; and that the fifth be amended to read "an act to authorize the appointment of additional constables and justices of the peace in certain counties."

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

*Ordered*, That Messrs Yantis, Ray, S. Williams, Robb, Sprigg and Fowler, be appointed a committee, on the part of this house, to examine the Auditor's office, in pursuance of a joint resolution, for appointing such committee; Messrs Chambers, Gaines, Tompkins, E. L. Johnson, Spalding and Hunton, to examine the Treasurer's office; and Messrs G. W. Williams, Hickman, Grigsby, Valandigham, A. Johnson and Pierce, the Register's office; and that the clerk inform the Senate thereof.

And then the House adjourned.

TUESDAY, DECEMBER 14, 1830.

1. Mr Ray presented the petition of William Thomas, praying that a law may pass, granting him the privilege of entering six thousand acres of land in Casey county, including his salt wells.

2. Mr Calhoon presented the petition of sundry citizens of Ohio county, praying to be added to the county of Breckenridge.

3. Mr J. T. Morehead presented the petition of Christopher Heavner, praying the remission of the balance of the state price, due on a tract of land in Warren county, and authorizing a grant to issue to him for the same.

4. Also, the petition of J. R. Underwood, one of the Trustees of the town of Columbus, praying the adoption, by the legislature, of such measures, as will secure to the Trustees of said town, the exclusive right to a ferry across the Mississippi, at said town.

5. Also, the petition of Samuel J. Reneck, praying a divorce from his wife, Emily.

6. Mr Wilson presented the petition of Rodham Neale, praying the passage of a law, authorizing him to appropriate so much of the money in his hands, (as committee for Nancy Neale,) as may be necessary for the support of said Nancy, and when the money shall be exhausted, to sell a negro girl belonging to said Nancy.

7. Mr Guthrie presented the petition of the grand jury, (summoned at the December term of the Jefferson circuit court,) praying that an additional compensation may be allowed to the judge and Commonwealth's attorney, for the fifth judicial district.

8. Mr Norvill presented the petition of John S. Lander and James McLaughan, administrators of Lawson Haggard, deceased, praying that a law may pass, authorizing David Haggard, the father of the said Lawson, to convey for the heirs of said Lawson to said John S. Lander, a tract of land lying in Christian county, and to receive in exchange a conveyance for a tract of land in Trigg county, agreed to be exchanged by said Lawson with said Lander, in his lifetime, but which contract was not reduced to writing.

9. Mr. Pierce presented the petition of sundry citizens of Wayne and Russell counties, praying that a law may pass, authorizing the surveyor of Adair county, or some other well qualified person, to run and mark a part of the boundary line between the said counties.

Which petitions were severally received, the reading dispensed with, and referred: the first, second and ninth, to the committee of propositions and grievances; the fifth, to the committee of religion; the fourth, sixth, seventh and eighth, to the committee for courts of justice; and the third, to a select committee of Messrs J. T. Morehead, Ewing, Shanks, and P. Morehead.

A message was received from the Senate announcing the passage of bills of the following titles:

An act for the benefit of William Winslow, clerk of the Galatin circuit court—and

An act to amend the several acts against unlawful gaming.

Mr J. T. Morehead, from the committee on internal improvement, to whom was referred an engrossed bill entitled, an act to amend an act entitled, an act to provide for the erection of two bridges across Rockcastle river, approved January 29th, 1830, reported the same, without amendment.

The question was then taken on the passage of said bill, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required on the passage of said bill, by Messrs. Hardy and Speedsmith, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. Barrett, Brown, Chambers, Chiles, Chowning, Colyer, Crutchfield, Dyer, Gass, Grundy, Hayes, Heady, Helm, Hickman, Hunton, James, A. Johnson, E. L. Johnson, Lewis, Love, McAfee, McNary, J. K. Marshall, W. N. Marshall, Mize, New, Patrick, Pierce, Rodes, Russell, Sisk, Speedsmith, Spalding, Sprigg, Stewart, Stotts, Thomas, Tompkins, Turner, Vallandigham, Ward, D. White, Whittington, G. W. Williams and Yantis—46.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Beall, Butler, Burns, Calhoon, Cassidy, Churchill, Colglazer, Copeland, Curd, Dawson, Dickson, Ewing, Fields, Fowler, Gaines, Girton, Grigsby, Guthrie, Hall, Hardy, Harris, Haynes, Henderson, Hobbs, Jackson, Lackey, J. T. Morehead, P. Morehead, Murray, Norvill, Patterson, Patton, Phelps, Preston, Ray, Robb, Roberts, Rudd, Shanks, Smith, Strother, Tomlinson, A. S. White, S. Williams, W. J. Williams and Wortham—50.

Mr Butler, from the majority on the vote by which said bill was rejected, moved for, and obtained a reconsideration of said vote.

The said bill was then recommitted to a select committee of Messrs Turner, Smith and Chambers.

Mr. Yantis, from the committee of privileges and elections, reported a bill to establish an election precinct in the county of Barren, which was received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bill having been dispensed with, the same was committed to a select committee of Messrs Hardy, Preston, Copeland and Jackson.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act for the benefit of Frances Paca, Letitia Preston and Elizabeth Dallam, reported the same without amendment.

And the question being taken on reading the said bill a third time, it was decided in the negative, and so the said bill was rejected.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Guthrie, from the same committee, to whom was referred a bill to regulate the fees of sheriffs and constables, and for other purposes, reported the same without amendment.

And the question being taken on engrossing the said bill, and reading it a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of Samuel Blain: also, a bill to amend the law of descents, and for the distribution of intestates estates, reported the former without amendment, and the latter with an amendment:

Which being read was concurred in.

*Ordered*, That the said bills be engrossed, and read a third time to-morrow.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend the law concerning executors and administrators, reported the same with an amendment:

Which being twice read, was concurred in.

*Ordered*, That the said bill be committed to a committee of the whole house, for the 16th instant; and that the public printers, forthwith print one hundred and fifty copies of said bill for the use of the members of this house.

The Speaker laid before the house, the annual report of the Shelbyville and Louisville Turnpike Road Company, which is as follows:

Annual report of the Shelbyville and Louisville Turnpike Road Company, to the Honorable the Legislature of the State of Kentucky, shewing the amount received and the amount expended, (for continuing the road east of Middletown,) for one year, ending 1st October, 1830; which is most respectfully submitted.

This amount to the credit of profit and loss, on the 1st of October, 1829.

\$1,943 18

Amount received from first or lower gate, from 1st October, 1829, to 1st October, 1830.

3,821 24

Amount received from second or middle gate, for same time,	2,215 96
Amount received from third or upper gate, for same time,	1,419 11
Amount received from individuals for tolls assessed, for same time,	542 50
Amount received from Bank, from time to time, from 1st October, 1829, to 1st October, 1830,	12,726 50
	<hr/>
	\$22,168 49

By amount paid at sundry times, on the President's orders, from 1st October, 1829, to 1st October, 1830, principally for continuing the road, east of Middletown,	21,114 55
Balance in the treasury, on 1st October, 1830.	1,053 94
	<hr/>
	\$22,168 49

I, GEORGE C. GWATHMEY, Treasurer of the Shelbyville and Louisville Turnpike Road Company, do certify, that the foregoing is a correct statement of the situation of said company, as the books will show.

GEORGE C. GWATHMEY, T.R. S. & L. T. R. C.

December 10, 1830.

An engrossed bill entitled, an act to extend the terms of the Nelson circuit court, and to alter the terms of the Washington circuit court, was read a third time, and an engrossed clause added thereto, by way of ryder.

*Resolved*, That the said bill do pass, and that the title thereof be amended, by adding thereto the words "and for other purposes."

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

A bill from the Senate, entitled, an act for the benefit of Daniel Trabue and others, was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

The following bills were severally read a second time:

1. A bill to alter the mode of summoning jurors.
2. A bill to change the venue for the trial of David Turnham.

The first was committed to a committee of the whole house for the 17th instant, and the second was ordered to be engrossed and read a third time to-morrow.

A bill to amend the several acts in relation to ferries, was read a second time.

And then the House adjourned.

WEDNESDAY, DECEMBER 15, 1830.

1. Mr James presented the petition of Robert Walker and Owen G. Cates, praying that a law may pass, establishing a ferry across the Mississippi river, at the town of Columbus, on their lot, No. 3, in said town.

2. Mr Roberts presented the petition of Elizabeth S. Wilson, praying a divorce from her husband, Marvin A. D. Wilson.

3. Mr Chambers presented the petition of the Trustees of the Augusta College, praying an appropriation to aid them in increasing the library, and purchasing apparatus for said institution; also, a report of the Trustees of the Bracken academy.

Which petitions and report were severally received, the reading thereof dispensed with, and referred: the first, to the committee for courts of justice; the second, to the committee of religion; and the third, to the committee of education.

A message was received from the Senate, announcing the passage of bills which originated in the House of Representatives, of the following titles:

A bill to change the time of holding the Morgan county court.

A bill to organize a fire company in the town of Paris.

A bill to authorize the appointment of additional constables and justices of the peace, for certain counties—and

A bill for the benefit of James B. Bernard, with an amendment to the latter bill.

Also, of bills which originated in the Senate, of the following titles:

An act repealing all laws allowing licences to billiard table keepers, and for other purposes.

An act to alter the time of holding the county courts of Barren county.

An act to amend an act "authorizing certain county courts to appoint reviewers to view a way from Thomas Kennedy's, in Garrard county, to the Green river salt works."

An act for the benefit of Ann Eliza Nelson.

And the adoption of a joint resolution to appoint a committee of conference on the power of the Legislature to pass laws, authorizing the sale of the real estate of infants and *feme covert*.

On motion—

*Ordered*, That the committee of claims be discharged from the further consideration of the petitions of William Logan and John Neville.

Mr Hardy, from the committee of religion, made the following report:

The committee of religion have, according to order, had under their consideration the petition of William Parker. They are of opinion that his petition is reasonable, and not provided for by the general law; *but they are of opinion that some difficulty exists in amending the general law so as to embrace his case. They have, therefore, instructed me to ask leave to be discharged from the further consideration of said petition.*

Which being twice read, and amended, by striking out the words printed in italics, was concurred in.

*Ordered,* That said committee prepare and bring in a bill pursuant to said report.

Mr J. T. Morehead, from the committee on internal improvement, to whom was referred a bill to authorize the Garrard county court to erect gates across certain roads, reported the same without further amendment. The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved,* That the said bill do pass, and that the title thereof be amended to read, an act to authorize certain county courts to erect gates across certain roads.

*Ordered,* That the clerk carry the said bill to the Senate and request their concurrence.

Mr J. T. Morehead, from the same committee to whom was referred a bill making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon, reported the same with an amendment in lieu of the original bill, which being twice read, was concurred in. And the said bill as amended, ordered to be engrossed and read a third time tomorrow.

Mr. Turner from the select committee, to whom was referred an engrossed bill entitled, an act to amend an act entitled, "an act to provide for the erection of two bridges across Rockcastle River, approved January 29, 1830," reported the same with an amendment, which being twice read was concurred in. And the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with, and the same being engrossed:

*Resolved,* That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered,* That the clerk carry the said bill to the Senate, and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr S. Williams—1. A bill to pay off the deficit in the treasury.

By Mr Butler—2. A bill to authorize the board of internal improvements for Shelby county to erect a toll gate.

By Mr Love—3. A bill more effectually to prevent the importation of slaves into this Commonwealth, as merchandise.

By Mr Spalding—4. A bill to improve Muldrough's hill, on the road leading from Lexington to Nashville.

By Mr G. W. Williams—5. A bill to amend an act entitled, "an act to amend the laws in relation to absent defendants, approved January 25, 1827."

By Mr J. T. Morehead—6. A bill to incorporate the Louisville and Portland Rail road Company.

By Mr Guthrie—7. A bill to authorize the President and managers of the Louisville and Portland Turnpike road Company to construct a rail road from Louisville to Portland.

By Mr Patton—8. A bill to amend the act regulating the appropriation of fines and forfeitures, so far as regards the county of Christian.

By Mr Guthrie—9. A bill to incorporate the Ohio Bridge Company.

By Mr Turner—10. A bill to repeal an act entitled, "an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools."

By Mr Ward—11. A bill to authorize David and John Trimble to erect a mill dam across Little Sandy river, at the blue ripple.

By Mr Burns—12. A bill to provide for completing the road from Beaver Iron Works in Bath county, by way of West Liberty, to Louisa--and

By Mr A. Johnson—13. A bill to amend an act entitled, an act for the suppression of riots, routs and unlawful assemblies.

Which bills were severally received, and read the first time, and ordered to be read a second time.

*Ordered*, That the public printers forthwith print one hundred and fifty copies of the third bill, for the use of the members of this house.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, fourth, fifth, sixth, seventh, eighth, ninth, eleventh and twelfth bills having been dispensed with, the first was committed to the committee of ways and means; the second and eleventh, were severally ordered to be engrossed and read a third time; the fourth, sixth, seventh, ninth and twelfth, were committed to the committee on internal improvements; the fifth was referred to the com-

mittee for courts of justice; and the eighth, to a select committee of Messrs Turner, Patton, Barlow and Pierce.

And thereupon, the rule of the house, constitutional provision and third reading of the second and eleventh bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That that the clerk carry the said bills to the Senate and request their concurrence.

Mr Chambers moved the following resolution, viz:

*Resolved*, That the Sergeant at Arms be directed to cause the representative chamber to be furnished with a sufficient number of writing tables, for the accommodation of all the members of this house; and that he procure them to be made on the plan of, and to correspond with those in the Senate chamber; and that he also cause the said chamber to be furnished with a sufficient number of chairs for the accommodation of the members.

Which being twice read, and the question taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required on the adoption thereof, by Messrs B. Allen and Chambers, were as follows:

YEAS—Messrs. Burns, Chambers, Colyer, Gaines, Gass, Grigsby, Guthrie, Hardy, Heady, Hobbs, James, Love, J. K. Marshall, J. T. Morehead, New, Pierce, Ray, Roberts, Rudd, Smith, Sprigg, Stewart, G. W. Williams and Wilson—24.

NAYS—Messrs. B. Allen, Anderson, Barlow, Barrett, Beall, Brown, Chiles, Colglazer, Copeland, Curd, Dawson, Dyer, Ewing, Fields, Girton, Grundy, Hall, Harris, Hayes, Henderson, Hickman, Hunton, Jackson, A. Johnson, E. L. Johnson, Lackey, McNary, W. N. Marshall, P. Morehead, Patrick, Patton, Phelps, Rodes, Spalding, Stotts, Thomas, Turner, Vallandigham, Ward, D. White, Whittington, S. Williams, Wortham and Yantis—44.

Mr Phelps read and laid on the table the following joint resolution, viz:

Whereas, it is represented to the General Assembly of this Commonwealth, that the question involving the constitutionality of the statute of this state, commonly called the seven year limitation law, is now pending in the Supreme Court of the United States, the decision of which will greatly effect the welfare and prosperity of this Commonwealth, as well as the immediate rights and interests of a great portion of her citizens; and that if said law shall be declared unconstitutional and void, the door of litigation will be again opened to speculators and others, holding old and dormant patents, to bring them forth against the honest purchaser and occupant of the soil, when by

said act, his domicil would be protected, and land litigation, with which the people of Kentucky have been so grievously and severely visited, will be again revived and greatly increased.

And whereas, the suit of Barney's heirs against Hawkins, as also other cases involving said question, now pending in said court, it behoves this Legislature, in defence of the sovereign power of the state and for the protection of her citizens, not to permit an *ex parte* hearing and decision of said question; and to provide able and faithful counsel to defend the law aforesaid, and thus prevent any mismanagement of the said cause by the parties, in which thousands are deeply interested—therefore,

*Resolved, by this General Assembly, That* \_\_\_\_\_ be employed and requested to appear in said cause, on the part of the state of Kentucky, and defend the constitutionality of said law, and that said \_\_\_\_\_ be authorized and requested to employ and associate with him, \_\_\_\_\_ as assistant counsel, to appear and aid in defence of said law.

*Resolved further, That* in the opinion of this Legislature, the said law is constitutional and valid.

*Ordered, That* "a bill to amend the several acts in relation to ferries," be committed to a select committee of Messrs. Calhoun, Ewing, J. T. Morehead and Dixon.

The amendments proposed by the Senate to a bill which originated in this house entitled, an act for the benefit of James B. Bernard were twice read and concurred in.

*Ordered, That* the clerk inform the Senate thereof.

The following engrossed bills were severally read a third time:

1. An act for the benefit of Samuel Blain.

2. An act to change the venue for the trial of David Turnham.

*Resolved, That* the said bill do pass, and that the title thereof be as aforesaid.

*Ordered, That* the clerk carry the said bill to the Senate and request their concurrence.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker—I am directed by the Governor to lay before this house a message in writing.*

And then he withdrew.

And then the House adjourned.

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THURSDAY, DECEMBER 16, 1830.

1. The Speaker laid before the house, the report of the committee appointed under an act of the last session, to examine the Auditor's and Treasurer's offices, which was read as follows:

*To the Legislature of Kentucky.*

In compliance with the act of last session, entitled, "an act concerning the Auditor's and Treasurer's offices, and for other purposes," approved, January 29, 1830, the undersigned have endeavored to discharge the duties required of them, and now report to the Legislature, that we commenced our examination of the Auditor's office on the 27th September last, and shortly thereafter, we commenced the examination of the Treasurer's office, and continued till, in our judgment, we had done all that was required of us by the act. We were assisted through the greater part of our labors, by F. P. Blair, Esq. President of the Bank of the Commonwealth, and after his resignation and removal from the State, the examinations were completed by us. In the report which we now make, we are confident that Mr. Blair would concur, because we had frequent conferences with him, in reference to the report, and our views corresponded. Our examination has been a full, careful, and thorough one, commencing on the 10th day of February, 1829, and continuing till the 10th October, 1830. We kept a journal of our proceedings, which will show the course and detail of our examination, but a repetition of it would protract this report unnecessarily. We examined all the entries, accounts and vouchers, compared the vouchers with the accounts, investigated all the claims and appropriations which had been audited, and examined the acts of assembly under which the Auditor had acted, and made also, a general examination of both offices. The only claim which has been audited, for which we can find no law, is an allowance by the Court of Appeals of \$50 to its clerk, for office rent; if there is any law to authorize the payment of such claim, it has escaped our attention; but the allowance has been regularly made each year, and paid, since the commencement of the government. In every other instance we have found the allowances warranted by law. The books of the Auditor and Treasurer agree, and show that the claims audited have been paid at the Treasury, and properly and correctly entered on the Treasurer's books. In respect to both offices, we can say that the business has been well done, the books neatly and correctly kept, and in all things regularity, system and skill are eminently conspicuous.

The labors of the Auditor, which seem to increase from year to year, are very arduous, but we are of opinion, that with the assistance of two well qualified clerks, the duties can be performed—with less assistance it would be impossible to do the business; and how far the salary of that officer will enable him to employ such assistance, it is not for us to say.

We think it would be well to allow a clerk in the Treasurer's office; the business has heretofore been done, and well done, without one, but the constant attention which is necessary in the office, would seem to require assistance.

In the progress of our examination, several subjects have arrested our attention, which we feel it our duty to report. We ascertained that nearly one half of those who obtain tavern licence and own stud horses, do not pay the taxes due to government; they escape principally on account of what we consider a defect in the law; we would recommend the passage of a law requiring payment in advance from the tavern keeper when he obtains licence, and that provision should be made, making it necessary that a licence should be obtained from the county court, before the owner of a stud horse should be permitted to stand him, and that the tax be paid when the licence is granted. Under the present law great abuses have been practised, tavern licences are obtained after the 10th March, and the season of the stallion is made to commence after the same period, and thus they escape taxation for the year. By such a regulation as we recommend, we are certain that there would be a considerable increase in the revenue from that quarter.

We have discovered that in some instances the courts have made most unreasonable and exorbitant allowances to jailors, for fuel furnished the court whilst in session; we submit whether it would not be well to limit those allowances by law.

The burthen upon the Treasury for the support of idiots, is immense, so much so that our attention was forcibly arrested by it, and we were led to enquiries, the result of which was a conviction on our part, that a great number of persons are reported upon the idiot list, and draw their support from the Treasury, when in fact they should either be upon the pauper list, supported by the county, or the lunatic list, and sent to the Lunatic Asylum. We are of opinion that such impositions, to a considerable extent, have been practised under the present system.

By the present law, the fine against clerks for not returning their accounts of taxes received, is limited to \$500. This penalty, in most cases, is sufficient, but in some it is entirely inadequate.

By the law as it now stands, sheriffs are authorized to hire as many guards as they please, to convey criminals to the Penitentiary, and in several instances we have discovered that a very wasteful and extravagant expenditure of money has taken place. We would recommend that the number of guards should be, either limited by law, or that it should be regulated, in each case, by the judge of the court. We have discovered in the progress of our examination, that considerable losses have resulted to the government in consequence of the collection of the revenue the year subsequent to its assessment; the removals from the state after the tax is levied, and before it is collectable, are very numerous, and the loss of revenue from this cause, is very considerable, so much so, as probably to render an alteration in the law necessary, whereby such tax would be collectable the year it was levied.

The present mode of forfeiting residents lands for the non-payment of taxes, is attended with unnecessary expense to the State, a saving of perhaps \$300 per annum might be made by authorizing the Auditor to advertise and forfeit the lands when they are returned first by the sheriffs, instead of transmitting them again to the sheriffs, and their advertising and forfeiting them. All of which is respectfully submitted.

JAS. W. DENNY, Attorney General.

T. T. CRITTENDEN, Secretary.

2. Mr James presented the petition of Thomas Griffey, praying the passage of a law to restrain the further prosecution of a judgment obtained against him (as sheriff of Hickman county) by the Auditor of Public Accounts, alleging that he has settled with the Auditor, and has his quietus for said claim.

3. Mr Barlow presented the petition of sundry citizens of Monroe county, praying that a law may pass, changing the place of voting in an election precinct in said county.

4. Mr Thomas presented the petition of John S. Yocum and Nancy McCullough, administrator and administratrix of David Yocum, deceased, praying the passage of a law, authorizing them to sell a tract of land belonging to his estate, for the purpose of paying his debts.

5. Mr Norville presented the petition of sundry citizens of Trigg county, praying the passage of a law, authorizing the voters of said county to decide, by vote at the polls, whether the seat of justice shall remain at Cadiz or be removed to Canton.

6. Mr Ward presented the petition of sundry citizens of Greenup county, praying a repeal or modification of an act of Assembly, passed in 1827, for the benefit of James Lot and George Jones.

7. Mr Norville presented the petition of sundry citizens of Trigg county, praying the repeal of so much of an act of Assembly "prohibiting the county courts of Trigg, Caldwell and Livingston counties from establishing ferries on the Tennessee and Cumberland rivers, passed January 7, 1827," as concerns the county of Trigg.

8. Mr Jackson presented the petition of sundry citizens of Laurel county, praying that a law may pass, changing a part of the boundary line between said county and Rockcastle county.

Which petitions were severally received, the reading thereof dispensed with, and referred: the second, to the committee of claims; the third to the committee of privileges and elections; the fourth and sixth, to the committee of courts of justice; the fifth, to the committee of propositions and grievances; the seventh, to a select committee of Messrs Norville, New and Hardy; and the eighth to a select committee of Messrs Jackson, Love, Colyer and Yantis.

Mr McAfee, from the committee of propositions and grievances made the following report:

1. The committee of propositions and grievances, have had under consideration the petition of Thomas Goodwin and other citizens of Spencer and Nelson counties, praying that all laws declaring Salt River, above the point where Thomas Goodwin's mill is erected on said river, navigable, may be repealed, and have come to the following decision.

*Resolved*, That said petition is reasonable.

2. Also, the petition of sundry citizens of Barren county, praying that James Jones may be permitted to erect a water grist and saw mill on the south fork of Little Barren river, under certain conditions, and have come to the following decision:

*Resolved*, That said petition is reasonable.

3. Also, the petition of Samuel Hatler and others, of the county of Allen, praying that the said Hatler may be permitted to build a mill and dam, on Big Barren river, under certain restrictions, and have come to the following decision:

*Resolved*, That said petition is reasonable.

Which being twice read, was concurred in.

*Ordered*, That said committee prepare and bring in bills pursuant to said resolutions.

Mr Love, from the committee of claims, made the following report:

The committee of claims have had under consideration the petition of Reuben Roland, and come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was adopted.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have had several petitions to them referred, and have come to the following resolutions:

*Resolved*, That the petition of John S. Lander and others, praying that a law may pass, authorizing the heirs of Lawson Haggard to carry into effect a parol contract, for the exchange of land, be rejected.

*Resolved*, That the petition of P. S. Loughborough, praying that a law may pass to compensate him for acting as Commonwealth's attorney, at a special term of the Anderson circuit court, under the appointment of the judge, in the absence of the Commonwealth's attorney, be rejected.

*Resolved*, That the petition of Rodham Neale, praying that a law may pass, authorizing a sale of certain devised property, be rejected.

*Resolved*, That the petition of Eleanor Joslin, praying for the passage of a law to authorize the sale of certain real estate of her children, be rejected.

Which being twice read, the first, third and fourth resolutions were concurred in, and the second was laid on the table.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to amend an act, approved January 29, 1829, providing a remedy against bail in civil actions, reported the same without amendment. And the question being taken on engrossing said bill and reading it a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred a bill more effectually to prevent swindling, reported the same without amendment. The question was then taken on engrossing the said bill and reading it a third time, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Burns and Lackey, were as follows, viz:

YEAS—Messrs. B. Allen, Barlow, Barrett, Brown, Burns, Cassidy, Chambers, Chiles, Colglazer, Copeland, Ewing, Fields, Girton, Hall, Hardy, Harris, Hayes, Haynes, Helm, Henderson, Hickman, Hobbs, Jackson, James, A. Johnson, Lackey, Love, McAfee, McNary, J. K. Marshall, W. N. Marshall, Mize, Norvill, Patterson, Patrick, Patton, Phelps, Robb, Roberts, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stewart, Stotts, Thomas, Tomlinson, Tompkins, True, Vallandigham, Ward, G. W. Williams, W. J. Williams, Wilson and Wortham—56.

NAYS—Messrs. C. Allan, Anderson, Baker, Beall, Butler, Calhoon, Churchill, Colyer, Crutchfield, Curd, Dawson, Dickson, Dyer, Fowler, Gaines, Gass, Grigsby, Grundy, Guthrie, Heady, Hunton, E. L. Johnson, Lewis, J. T. Morehead, P. Morehead, Pierce, Ray, Rodes, Rudd, Shanks, Strother, Turner, A. S. White, D. White, S. Williams, and Yantis—36.

Mr Hardy, from the committee of religion, made the following report:

The committee of religion have, according to order, had under their consideration sundry petitions to them referred, and have come to resolutions thereon.

*Resolved*, That the petition of Margaret C. Cooper, praying a divorce, be rejected.

*Resolved*, That the petition of John Hall, praying a divorce, be rejected.

Which being twice read, was adopted.

The message of the Governor, communicated to the house on yesterday, was taken up and read as follows, viz:

*Gentlemen of the House of Representatives:*

I herewith transmit, for the use of each branch of the Legislature, the report of L. Munsell and J. Bright, the former being the surveyor appointed by me on the part of this state, and the latter on the part of the state of Tennessee, under a resolution of the Legislature of this state, approved the 29th of January, 1829, to run and mark plainly a part of the line between the two states as therein designated.

A compliance with the resolution above alluded to, has been thus long deferred, in order to have the co-operation of Tennessee, which could not, at a proper season of the last year, be had.

I refer you to the accompanying report for the expenses already incurred. I declined fixing the compensation of the surveyor, as perhaps I might have done, under the resolution, and beg permission to recommend the allowance heretofore made for similar services, as fair and just. The surveyor had a right to look to that as the measure of his reward, for toils not less painful.

THOMAS METCALFE.

December 15th, 1830.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr McAfee, from the committee of propositions and grievances—1. A bill to permit the citizens of Hickman county to locate their seat of justice.

2. A bill to confirm an order of the county court of Perry, allowing Jeremiah Combs to build a mill-dam across the North Fork of Kentucky river.

3. A bill to permit James Lewis to build a mill-dam on the North Fork of the Kentucky river.

4. A bill authorizing Silas M. Williams, to erect a dam and mill on Big Barren river.

By Mr Love, from the committee of claims—5. A bill for the benefit of William Cook.

6. A bill for the benefit of Nicholas Keating and Hawkins Gregory.

By Mr Guthrie, from the committee for courts of justice—7. A bill allowing an additional justice of the peace to the county of Wayne.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the fourth, fifth and seventh bills having been dispensed with, the fourth was committed to a select committee of Messrs Barlow, Dawson and Baker; the fifth was committed to the committee for courts of justice; and the sev-

enth (being amended) was ordered to be engrossed, and read a third time.

And thereupon the rule of the house, constitutional provision and third reading of the seventh bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be, an act allowing additional justices of the peace to certain counties.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, on the state of the Commonwealth—Mr. Butler in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr. Butler reported that the committee had, according to order, had under consideration, a bill to amend the law concerning executors and administrators—and had gone through the same without amendment.

*Ordered*, That the said bill be recommitted to the committee for courts of justice.

And then the House adjourned.

#### FRIDAY, DECEMBER 17, 1830.

1. Mr Helm presentd the petition of Benjamin Stith, Warden Pope and the heirs of Achilles Sneed, deceased, praying the passage of a law, releasing to the petitioners, all the claim of the state, (acquired by a relinquishment of H. Marshall,) of, in and to, sixty thousand acres of land, or if this be refused, then that some step may be taken to assert the claim of the state to said land.

2. Mr Norvill presented the remonstrance of sundry citizens of Trigg county, against the removal of the seat of justice of said county.

Which petition and remonstrance were severally received, the reading thereof dispensed with, and referred: the first, to the committee for courts of Justice, and the second, to the committee of propositions and grievances.

On motion—

*Ordered*, That the report of the commissioners appointed under an act of the last session, to examine the Auditor's and Treasurer's offices, be committed to the committee of ways and means.

Mr McAfee, from the committee of propositions and grievances, made the following report:

1. The committee of propositions and grievances have had under their consideration the petition of William Thomas, praying for permission to locate six thousand acres of land in the county of Casey, for the purpose of aiding him in the manufacture of salt, and have come to the following resolution:

*Resolved*, That said petition be rejected.

2. Also, the petition of sundry citizens of the county of Galatin, praying that they may be added to the county of Grant, and come to the following decision:

*Resolved*, That said petition is reasonable.

3. Also, the petition of Archibald Frizzel, coroner of Lewis county, praying permission to renew his official bond, and have come to the following decision:

*Resolved*, That said petition is reasonable.

4. Also, the petition of sundry citizens of Russell county, praying that the line between said county and Wayne county may be again run by the surveyor of Adair county, and have come to the following decision:

*Resolved*, That said petition be rejected.

5. Also, the petition of Isabella Johnston, praying that a law may pass, authorizing her to sell a tract of land in Monroe county, devised to her by her husband, during her natural life, remainder to his four children; and that she may be permitted to apply the proceeds to the purchase of another tract of land, and have come to the following decision:

*Resolved*, That said petition be rejected.

Which being twice read was concurred in.

*Ordered*, That the said committee prepare and bring in bills pursuant to the second and third resolutions.

Mr Hardy, from the committee of religion, made the following report:

1. The committee of religion have, according to order, had under their consideration the petition of Mary Denton, praying a divorce:

*Resolved*, That said petition is reasonable.

2. Also, the petition of Elizabeth Fannan, praying a divorce.

*Resolved*, That said petition is reasonable.

3. Also, the petition of Elizabeth Wilson, praying a divorce.

*Resolved*, That said petition is reasonable.

4. Also, the petition of Samuel J. Rennick, praying a divorce.

*Resolved*, That said petition be rejected.

4. Also, the petition of Thomas Scott, praying a divorce.

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

*Ordered*, That the said committee prepare and bring in bills pursuant to the first, second and third resolutions.

Mr J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to amend the several laws, concerning the opening and changing the public roads, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time to-morrow.

Mr Morehead, from the same committee, made the following report:

The committee on internal improvements, have also had under consideration the petition of sundry citizens of Morgan, Bath and Montgomery counties, praying that a sum be appropriated, to aid in the improvement of the road from Mountsterling to the Virginia line, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Helm, from the committee of claims—1. A bill for the benefit of Thomas Griffey.

By Mr Guthrie, from the committee for courts of justice—2. A bill for the benefit of the heirs of James McCollom, deceased.

By Mr J. T. Morehead, from the committee on internal improvements—3. A bill to provide for removing the obstructions to the navigation of the Rolling Fork of Salt river.

4. A bill to amend an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness state road, approved January 29, 1830.

By Mr Henderson—5. A bill to take the sense of the good people of this Commonwealth, as to the propriety of calling a convention.

By Mr Butler—6. A bill to change the time of holding the circuit courts in the fourth judicial district, and for other purposes.

By Mr Ray—7. A bill to appropriate some of the vacant lands of Casey county to improve the road leading from the town of Liberty, to where the said road crosses the Rolling Fork, near Timothy Goode's, in a direction to Springfield.

By Mr Rudd—8. A bill to incorporate a turnpike road from Louisville to Bardstown, and on to Springfield and Lebanon.

By Mr Mize—9. A bill to appoint commissioners to settle with the Trustees of the Estill Seminary lands, and for other purposes—and

By Mr Patton—10. A bill to reduce the number of musters in this Commonwealth, and for other purposes.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, third, fourth, fifth, seventh and eighth bills having been dispensed with, the first and second were severally ordered to be engrossed and read a third time; the third was committed to a select committee of Messrs Roberts, Beall and Rudd; the fourth, to a select committee of Messrs Barlow, Thomas and Hayes; the fifth to a committee of the whole house, for the 20th instant; and the seventh and eighth, to the committee on internal improvement.

And thereupon, the rule of the house, constitutional provision and third reading of the first and second bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

Mr. Turner, from the select committee, to whom was referred a bill to amend the act regulating the appropriation of fines and forfeitures, as far as regards the county of Christian, reported the same with an amendment.

Which being twice read, was concurred in, and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be, an act to regulate the appropriation of fines and forfeitures in Christian, Russell, Madison and Estill counties.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Barlow, from the select committee, to whom was referred a bill authorizing Silas M. Williams to erect a dam and mill on Big Barren river, reported the same without amendment. The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Ewing moved the following resolution, viz:

*Resolved*, That one day in each week be set apart by this house, exclusively for motions, and for receiving reports from select committees; and that that day shall be Saturday.

Which being twice read, was adopted.

Mr Heady read and laid on the table a joint resolution, providing for a recess of the General Assembly, from the 23rd to the 27th instant.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the Commonwealth—Mr Yantis in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr Yantis reported that the committee had, according to order, had under consideration “a bill to alter the mode of summoning jurors,” and had gone through the same without amendment.

And then the House adjourned.

### SATURDAY, DECEMBER 18, 1830.

The Speaker laid before the house, the annual report of the Board of Managers of the Louisville Marine Hospital, which was read, as follows:

*To the Honorable the Senate and House of Representatives of the State of Kentucky, in Frankfort assembled:*

Since our last report to your honorable body, there have been received into the Louisville Hospital, one hundred and seventy-one sick mariners and boatmen. Of this number one hundred and thirty-eight have been discharged as cured. Twenty-five have died, and eight yet remain in the Hospital.

From auction sales your managers have received within the same period, four thousand two hundred and sixty three dollars and three cents, of which sum, after discharging the debts due from the Hospital, there will remain in the hands of the Treasurer the sum of two hundred and thirty dollars.

Your managers deem it their duty, as the guardians of this institution, to remind the Legislature of the unfinished state of this edifice, and the urgent necessity there exists of its completion. The increasing number of that portion of our fellow men who are pressing their claims upon our charities, require that the unfinished rooms of the Hospital should be fitted up for their reception, and we do rely upon the wisdom and benevolence of the representatives of the people of this Commonwealth, to make an appropriation commensurate with the importance of their demands.

Permit your managers to close this report by saying, that if there was any real necessity at first for the establishment of this Assylum; if any virtue in healing the sick or restoring the dying mariner and boatman to his country, to his family or his friends, surely there does exist, at this time, a much stronger inducement for the Legislature to complete what they

have thus far effected. Let it be recollect that the growing trade and commerce of these western rivers does not serve to narrow down the sphere of disease, or lessen the number of its victims.

(Signed.)

J. J. JACOB, Pres.

December 16th, 1830.

*Louisville Hospital.*

The above report was read and concurred in, and ordered to be forwarded to James Guthrie, Esq. A true copy from minutes.

W. S. VERNON.

A message was received from the Senate, announcing the passage of bills which originated in this House, of the following titles:

A bill for the benefit of Andrew Woodley.

A bill to change the time of holding certain county courts, and for other purposos.

A bill to authorize the county courts of Hardin and Knox to appoint additional constables—with amendments to the two latter bills.

And the passage of bills of the following titles:

An act to amend an act, to establish an election precinct in Green county, approved the sixteenth December, eighteen hundred and twenty-nine—and

An act to appropriate the fines and forfeitures of Hardin county towards lessening the county levy.

Leave was given to bring in the following bills:

On motion of Mr New—1. A bill to change the time of holding the Simpson and Todd circuit courts.

On motion of Mr Gaines—2. A bill for the benefit of the sheriff of Boone county.

On motion of Mr Hardy—3. A bill for the benefit of John C. Hall.

On motion of Mr Calhoon—4. A bill to authorize the confinement of persons charged with felony, in the county of Hancock, in the jail of Breckenridge county, until a jail can be built in Hancock.

On motion of Mr Whittington—5. A bill to authorize the qualified voters of the county of Woodford, to vote for, or against, an act entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties, approved January 29, 1830," so far as the same relates to the county of Woodford.

On motion of Mr Rodes—6. A bill to amend the law for the collection of debts within the jurisdiction of justices of the peace.

On motion of Mr White—7. A bill to amend the law concerning mills and millers.

On motion of Mr Grigsby—8. A bill to amend an act entitled, an act for the benefit of Elizabeth Grifin, and for other purposes, approved January 23d, 1818.

On motion of Mr B. Allen—9. A bill to reduce the number of constables to eight, in the county of Henry.

On motion of Mr Ewing—10. A bill to incorporate the Trustees of Liberty meeting house, in the county of Logan.

On motion of Mr Shanks—11. A bill to amend the laws regulating the mode of collecting the revenue and county levy of this Commonwealth.

On motion of Mr Smith—12. A bill to change the name of Jackson D. Jamison to Richardson, and for other purposes.

On motion of Mr P. Morehead—13. A bill for the benefit of Newton Academy, in the town of Russellville.

On motion of Mr Preston—14. A bill to regulate the tolls of the Wilderness Turnpike road, and for other purposes.

On motion of Mr Hobbs—15. A bill to reduce the salaries of various officers of this Commonwealth, and for other purposes.

On motion of Mr Burns—16. A bill to prevent future confliction in land claims, and to secure to seaters and improvers a preference of location to lands improved by them.

On motion of Mr Barlow—17. A bill to appropriate the fines and forfeitures, in the county of Monroe, to the improvement of the public roads in said county.

On motion of Mr Phelps—18. A bill to amend the several laws of this Commonwealth, regulating the right of landlords to distrain for rent.

On motion of Mr Roberts—19. A bill to incorporate a Turnpike Road Company, from the city of Louisville, by the mouth of Salt river, to Elizabethtown.

On motion of Mr Ewing—20. A bill for the benefit of A. R. Macey.

On motion of Mr Butler—21. A bill to authorize Thomas W. Newton and wife to convey a certain tract of land.

On motion of Mr Helm—22. A bill to provide a remedy against bail in civil actions.

On motion of Mr Hardy—23. A bill for the benefit of James Herrod.

On motion of Mr James—24. A bill to appropriate a portion of the vacant lands to the counties west of the Tennessee river, for the improvement of the roads and navigable streams in said counties.

On motion of Mr Helm—25. A bill to give magistrates and county courts equitable jurisdiction over all sums under five pounds.

On motion of Mr P. Morehead—26. A bill to amend an act for the benefit of the surveyor of Hopkins county.

On motion of Mr Yantis—27. A bill for the benefit of Uriah Eaton—and

On motion of Mr Dyer—28. A bill to provide for the building a bridge across Rough Creek, at the town of Hartford.

Messrs. New, Ewing and W. J. Williams, were appointed a committee to prepare and bring in the first; Messrs. Gaines, Phelps and Vallandigham, the second; Messrs Hardy, Preston and Dawson, the third; Messrs Calhoon, Dyer and Dixon, the fourth; Messrs Whittington, McAfee and Lewis, the fifth; Messrs Rodes, Turner and Speedsmith, the sixth; the committee of propositions and grievances, the seventh; Messrs Grigsby, Sprigg and Helm, the eighth; Messrs B. Allen, Fields and Barrett, the ninth; Messrs Ewing, P. Morehead and James, the tenth; Messrs Shanks, J. T. Morehead and Ewing, the eleventh; Messrs Smith, Hunton and Pierce, the twelfth; Messrs P. Morehead, Ewing and James, the thirteenth; Messrs Preston, Hardy, Baker, Rodes and Love, the fourteenth; Messrs Hobbs, B. Allen, McAfee, Hardy and Ward, the fifteenth; Messrs Burns, Chiles and Ward, the sixteenth; Messrs Barlow, Hardy and Dawson, the seventeenth; Messrs Phelps, Gaines and Dixon, the eighteenth; Messrs. Roberts, Guthrie, Churchill, Helm, Morehead, Calhoon and Ewing, the nineteenth; Messrs Ewing, P. Morehead and J. T. Morehead, the twentieth; Messrs Butler, Sprigg and J. T. Morehead, the twenty-first; Messrs Helm, Phelps and Grigsby, the twenty-second; Messrs Hardy, Turner and Dawson, the twenty-third; Messrs James, Murray, Fowler, Patton and Norvill, the twenty-fourth; Messrs. Helm, Dixon and Grigsby, the twenty-fifth; Messrs P. Morehead, Sisk and J. T. Morehead, the twenty-sixth; Messrs Yantis, Harris and Turner, the twenty-seventh; and Messrs Dyer, J. T. Morehead, Anderson and Calhoon, the twenty-eighth.

Mr Tomlinson moved the following resolutions:

Whereas, the Bank of the Commonwealth of Kentucky is exclusively a state institution, in which our surplus capital is deposited, and as this bank has been a source of more than half a million of dollars clear revenue, during the last nine years, which has mainly supported the government—therefore,

1. *Resolved*, That said bank ought to be sustained by this Legislature, by the passage of a law which will more effectually secure its profits to be applied to the purposes of internal improvements, education, &c.

2. That in order to place said institution upon the basis of a specie paying bank, as speedily as possible, that its debtors ought to be permitted to pay off their notes in specie at a reasonable discount.

3. That so soon as a sufficient specie capital shall be paid in, which in the opinion of the President and Directors of said

bank, will enable them to redeem its notes which may be issued, it shall be their duty to report that fact to the Legislature, that the necessary measures may be taken to re-commence business.

4. That no part of the *capital stock* of said bank ought to be applied to the payment of the current expenses of the government, but that the sum should be held as a fund belonging to the people, the interest of which alone ought to be expended.

Which being read, was laid on the table.

The house took up a resolution from the Senate to appoint a committee of conference on the power of the Legislature to pass laws, authorizing the sale of the real estate of infants and *femes covert*.

Which being twice read, was concurred in, and Messrs Phelps, Speedsmith, Guthrie, Calhoon, Ward, Haynes, Burns, Hunton, Roberts and Rudd, appointed a committee conformably thereto, on the part of this house.

*Ordered*, That the clerk inform the Senate thereof.

Mr Thomas from the select committee to whom was referred a bill to amend an act entitled, an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness state road, approved January 29, 1830, reported the same without amendment. The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That that the clerk carry the said bill to the Senate and request their concurrence.

Mr Roberts, from the select committee to whom was referred a bill to provide for removing the obstructions to the navigation of the Rolling Fork of Salt river, reported the same without amendment.

*Ordered*, That the said bill be engrossed, and read a third time on Monday next.

Mr S. Williams moved for leave to bring in "a bill to reduce the fees of the various officers of government."

And the question being taken on granting leave to bring in said bill, it was decided in the negative.

Mr Rudd moved to obtain leave to bring in "a bill to change the circuit court system."

And the question being taken on granting leave to introduce said bill, it was decided in the negative, and so the said motion was disagreed to.

The yeas and nays being required thereon by Messrs Roberts and Rudd, were as follows:

YEAS—Mr. SPEAKER, MESSRS. B. Allen, Anderson, Barlow, Beall, Burns, Cassidy, Chiles, Colglazer, Copeland, Crutchfield, Fields, Gaines, Grigsby, Grundy, Hall, Hardy, Heady, Helm, Henderson, Hobbs, Hunton, Lackey, Love, Patterson, Patrick, Phelps, Preston, Roberts, Rudd, Russell, Sisk, Thomas, Ward, Whittington, G. W. Williams and S. Williams—37.

NAYS—MESSRS. C. Allan, Baker, Barrett, Brown, Butler, Calhoon, Chambers, Churchill, Colyer, Dawson, Dickson, Dyer, Ewing, Fowler, Gass, Girton, Guthrie, Harris, Hayes, Haynes, Hickman, Jackson, James, McAfee, McNary, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, Murray, New, Norvill, Patton, Pierce, Ray, Rodes, Robb, Shanks, Smith, Speedsmith, Spalding, Sprigg, Stewart, Stotts, Strother, Tomlinson, Tompkins, True, Turner, Vallandigham, A. S. White, Wortham and Yantis—54.

Mr Wortham moved the following resolution:

*Resolved*, That hereafter adjournment shall be, to meet at nine o'clock, A. M. instead of ten o'clock, as heretofore.

It was then moved and seconded to lay the said resolution on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs Wortham and Love, were as follows:

YEAS—Mr SPEAKER, MESSRS Anderson, Butler, Chambers, Colglazer, Crutchfield, Dyer, Fowler, Gaines, Gass, Grigsby, Guthrie, Hall, Harris, Hickman, James, Love, McAfee, McNary, J. T. Morehead, Murray, New, Patterson, Phelps, Ray, Roberts, Rudd, Russell, Shanks, Sprigg, Thomas, Tomlinson, True, Vallandigham, A. S. White, D. White, Whittington, G. W. Williams and Wilson—39.

NAYS—MESSRS. C. Allan, B. Allen, Baker, Barlow, Barrett, Beall, Brown, Burns, Calhoon, Cassidy, Chiles, Churchill, Copeland, Dawson, Dickson, Ewing, Fields, Girton, Grundy, Hardy, Hayes, Haynes, Heady, Helm, Henderson, Hobbs, Hunton, Jackson, Lackey, J. K. Marshall, W. N. Marshall, Mize, P. Morehead, Norvill, Patrick, Patton, Pierce, Preston, Rodes, Robb, Sisk, Smith, Speedsmith, Spalding, Stotts, Strother, Tompkins, Ward, S. Williams, W. J. Williams, Wortham and Yantis—52.

Mr Love then moved to amend said resolution to read thus:

*Resolved*, That hereafter the house will meet at half past eight o'clock, A. M. and will not adjourn until four, P. M.

It was then moved and seconded to postpone the said resolution and proposed amendment, until the first day of January next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Wortham and D. White, were as follows:

YEAS—MR. SPEAKER, Messrs. Anderson, Brown, Butler, Crutchfield, Dyer, Fowler, Gaines, Gass, Guthrie, Hall, Harris, Haynes, Hunton, Jackson, James, Love, McAfee, McNary, J. T. Morehead, Murray, New, Patterson, Phelps, Roberts, Rudd, Russell, Shanks, Sprigg, Thomas, Tomlinson, Ward, D. White, Whittington, G. W. Williams and Wilson—36.

NAYS—Messrs. C. Allan, B. Allen, Baker, Barlow, Barrett, Beall, Burns, Calhoon, Cassidy, Chambers, Chiles, Churchill, Colglazer, Copeland, Dawson, Ewing, Fields, Girton, Grundy, Hardy, Hayes, Heady, Helm, Henderson, Hickman, Hobbs, Lackey, J. K. Marshall, W. N. Marshall, Mize, P. Morehead, Norvill, Patrick, Patton, Pierce, Preston, Ray, Rodes, Robb, Sisk, Smith, Speedsmith, Spalding, Stewart, Stotts, Tompkins, True, Vallandigham, A. S. White, S. Williams, W. J. Williams, Wortham and Yantis—53.

The question was then taken on adopting the proposed amendment, which was decided in the negative.

The yeas and nays being required thereon by Messrs Love and Wortham, were as follows:

YEAS—Messrs. B. Allen, Barlow, Calhoon, Churchill, Colglazer, Copeland, Dyer, Fields, Fowler, Gaines, Gass, Grigsby, Heady, Henderson, Love, Mize, J. T. Morehead, P. Morehead, Patrick, Patton, Phelps, Preston, Ray, Rodes, Roberts, Russell, Shanks, Smith, Speedsmith, Sprigg, Thomas, Tomlinson, Tompkins, True, Vallandigham, Ward, A. S. White, G. W. Williams, S. Williams, W. J. Williams, Wilson, Wortham and Yantis—43.

NAYS—MR. SPEAKER, Messrs. C. Allan, Anderson, Baker, Barrett, Beall, Butler, Burns, Cassidy, Chambers, Chiles, Crutchfield, Dawson, Dickson, Ewing, Girton, Grundy, Guthrie, Hall, Hardy, Harris, Hayes, Haynes, Helm, Hickman, Hobbs, Hunton, Jackson, James, Lackey, McAfee, McNary, J. K. Marshall, W. N. Marshall, Murray, New, Norvill, Patterson, Pierce, Robb, Rudd, Sisk, Spalding, Stewart, Stotts, Strother, D. White and Whittington—48.

The said resolution having been amended by striking out the word *hereafter*, and inserting the words “*from and after the first day of January next,*” was adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr New—I. A bill to change the time of holding the Simpson and Todd circuit courts, and for other purposes.

By Mr Gaines—2. A bill for the benefit of the Sheriff of Boone county.

By Mr J. T. Morehead—3. A bill for the benefit of Christopher Heavner.

4. A bill to amend the laws regulating the mode of collecting the revenue and county levy of this Commonwealth—and

By Mr Ewing—5. A bill to incorporate the Trustees of Liberty meeting house, in Logan county.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bills having been dispensed with, the first, second, third and fifth bills were severally ordered to be engrossed and read a third time; and the fourth was committed to the committee of ways and means.

And thereupon, the rule of the house, constitutional provision and third reading of the first, second, third and fifth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The house took up, for consideration, a resolution laid on the table on the 17th instant, by Mr McAfee, for a recess of the General Assembly, which was twice read, as follows, viz:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Thursday, the 23d instant, they will have a recess until Monday the 27th.

The question was then taken on the adoption of said resolution, which was decided in the negative

The yeas and nays being required thereon by Messrs Wortham and McAfee, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C Allan, B. Allen, Anderson, Baker, Beall, Colglazer, Colyer, Crutchfield, Dyer, Fields, Gaines, Girton, Grigsby, Hall, Heady, Helm, Hickman, McAfee, McNary, J. K. Marshall, Murray, New, Phelps, Ray, Rodes, Robb, Roberts, Rudd, Russell, Shanks, Speedsmith, Strother, Tomlinson, Tompkins, True, Turner, Vallandigham, Ward, Whittington, G. W. Williams and Yantis—42.

NAYS—Messrs. Barlow, Barrett, Butler, Burns, Calhoon, Cassidy, Chambers, Chiles, Churchill, Copeland, Dawson, Dickson, Ewing, Fowler, Gass, Grundy, Hardy, Harris, Hayes, Haynes, Henderson, Hobbs, Hunton, Jackson, James, Lackey, Love, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, Norvill, Patterson, Patrick, Patton, Pierce, Preston, Sisk, Smith, Spalding, Sprigg, Stewart, Stotts, Thomas, A. S. White, S. Williams and Wortham—47.

And then the House adjourned.

*MONDAY, DECEMBER, 20, 1830.*

A message was received from the Senate, announcing the passage of a bill which originated in this House, entitled—

An act concerning election precincts in certain counties, with an amendment.

The adoption of resolutions concerning a road from Jonesborough in Tennessee, to the mouth of Shelby's creek, on Big Sandy river.

And the passage of bills of the following titles:

An act for the benefit of Elizabeth Giddings.

An act for the benefit of the heirs of William Ricks.

An act for the benefit of Joshua Cates—and

An act to extend the terms of the Nelson circuit court, and to alter the terms of the Washington circuit court, and for other purposes.

1. Mr Dawson presented the petition of the children of John Clark, Jr. alleging that their father is insane, and praying that a law may pass, authorizing his committee to sell a tract of land, for the payment of his debts.

2. Mr Preston presented the petition of sundry citizens of Green and Hart counties, praying for an appropriation of from three to five hundred dollars, to the repair of that part of the road leading from Lexington to Nashville, which runs over the Elk Lick hill.

3. Mr White presented the petition of the heirs of Hugh Ferguson, deceased, praying that a law may pass, authorizing the sale of two tracts of land belonging to the estate of the decedant.

4. Mr J. T. Morehead presented the petition of sundry citizens of Barren, Warren and Allen counties, praying the formation of a new county out of parts of said counties.

5. Mr Ewing presented the petition of Anne Caldwell, praying the remission of a part of a debt due by her to the Bank of the Commonwealth.

6. Mr Preston presented the petition of Daniel Holder, praying a divorce from his wife, Maria.

7. Mr Jackson presented the petition of sundry citizens of Laurel county, praying that a law may pass, exempting the citizens of said county, from the payment of tolls on the wilderness road.

Which petitions were severally received, the reading thereof dispensed with, and referred: the second, fourth, fifth and seventh, to the committee of propositions and grievances; the first and third, to the committee for courts of justice; and the sixth, to the committee of religion.

Mr Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills and resolution of the following titles, and had found the same truly enrolled, viz:

An act to organize a fire company in the town of Paris.

An act to change the time of holding the Morgan county court.

An act to authorize the appointment of additional constables and justices of the peace, in certain counties.

An act for the benefit of James B. Bernard.

An act for the benefit of James Honaker.

An act to legalize the election of Trustees of the town of Liberty.

An act to continue in force, an act for the benefit of the Head-right and Tellico settlers, and for other purposes.

An act to increase the powers of the Trustees of the town of Smithland.

An act to authorize the Trustees of the town of New Castle to sell a part of the public ground in said town.

An act to incorporate the trustees of the Pilot Knob meeting house, in Simpson county.

An act for the benefit of Daniel Trabue and others—and

A joint resolution, to appoint committees to examine the public offices.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

Mr Love, from the committee of claims, made the following report:

The committee of claims have, according to order, had under consideration the petition of Andrew McCalla, and come to the following resolution thereon:

*Resolved*, That said petition is reasonable.

Which being twice read, was concurred in.

*Ordered*, That said committee prepare and bring in a bill pursuant to said resolution.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have, agreeable to order, had under consideration the petition of the administrators of David Yoctim, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Guthrie, from the same committee, to whom was referred a bill for the benefit of William Cook, reported the same with an amendment.

Which being twice read, was concurred in, and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Hardy, from the committee of religion, made the following report:

The committee of religion have had under their consideration the petition of Patsey Rice, praying a divorce, and have come to a resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

On motion—

*Ordered*, That the committee of religion be discharged from the further consideration of the petition of Pamela Parker, praying a divorce from her husband, William Parker; and from bringing in a bill for the divorce of said William Parker, from his wife Pamela.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr McAfee, from the committee of propositions and grievances—1. A bill for the benefit of Archibald Frizzel, Coroner of Lewis county.

2. A bill to authorize Samuel Hatler and John Hatler to build a mill-dam across Big Barren River.

3. A bill to authorize James Jones to build a mill-dam across the South Fork of Little Barren river—and

4. A bill to add a part of the county of Gallatin to the county of Grant.

By Mr Guthrie, from the committee for courts of justice—5. A bill restoring the ferry privilege to the town of Columbus.

By Mr Hardy, from the committee of religion—6. A bill to divorce William Whitworth.

By Mr J. T. Morehead, from the committee on internal improvement—7. A bill to remove the obstructions to the navigation of Muddy river, and for other purposes.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, third, fourth, fifth, sixth and seventh bills having been dispensed with, the first, third and seventh were ordered to be engrossed and read a third time; the second was committed to a select committee of Messrs Dawson, Barlow, Anderson and Yantis; the fourth was committed

to a select committee of Messrs Vallandigham, Colglazer, Brown, Strother and Russell; the fifth, to the committee for courts of justice; and the sixth, to the committee of religion.

And thereupon, the rule of the house, constitutional provision and third reading of the first and third bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, on the state of the Commonwealth—Mr. New in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr. New reported that the committee had, according to order, had under consideration, a bill to take the sense of the good people of this Commonwealth, as to the propriety of calling a convention—and had gone through the same without amendment.

The said bill was again read as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the sheriffs and judges, at the several places appointed to hold the annual elections, in the year eighteen hundred and thirty one, to open columns in their several poll books, for qualified voters to vote for a convention; and it shall be the duty of the several sheriffs aforesaid to make a true and faithful return to the Secretary of State, within thirty days after the close of the polls, of all the votes which may have been given within their respective counties for a convention, to be by said Secretary, laid before the General Assembly, at their next annual session, within the first week thereof.

Sec. 2. *Be it further enacted*, That any sheriff failing to transmit by mail, his official statement of the votes given, as above provided, shall be subject to a fine of six hundred dollars, to be recovered by action of debt, by any person suing for the same, in any court having competent jurisdiction thereof, and shall also be subject, upon conviction of such failure, to removal from office.

Sec. 3. *Be it further enacted*, That it shall be the duty of the several sheriffs to read, or cause to be read, this act at their several places of voting in their respective counties, at the opening of the polls, on each of the next annual elections; and in case of failure so to do, the said officer shall be subject to the same penalties which are above prescribed for his failing to transmit his official statements.

Sec. 4. *Be it further enacted*, That the public printer shall, upon a separate leaf or sheet, print twelve hundred copies of

this act and furnish them to the Secretary of State, who shall send to each county, at the time of forwarding the acts of Assembly &c. forward to the clerk's office of the county court of each county in this state, ten of these copies; and the Secretary shall take a receipt of the carriers thereof, who shall take the receipts of the respective clerks to whom he may deliver them; and the respective clerks of county courts shall deliver the same to the high sheriff of his county, and take his receipt for the same, a copy of which shall be, by such sheriff, delivered to each of his deputies, to be by them read at their several precincts, as required by this act.

The question was then taken on engrossing the said bill and reading it a third time, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon by Messrs Henderson and Thomas, were as follows:

YEAS—Messrs. B. Allen, Baker, Barlow, Burns, Cassidy, Chiles, Chowning, Colglazer, Copeland, Dawson, Dickson, Ewing, Fields, Gaines, Guthrie, Hall, Hardy, Hayes, Haynes, Henderson, Hobbs, James, A. Johnson, Lackey, McAfee, P. Morehead, Murray, Norvill, Patton, Phelps, Preston, Ray, Robb, Roberts, Rudd, Sisk, Smith, Strother, Thomas, Tomlinson, Tompkins, Vallandigham, Ward, S. Williams and W. J. Williams—45.

NAYS—MR. SPEAKER, Messrs. C. Allan, Anderson, Barrett, Beall, Brown, Butler, Calhoon, Chambers, Churchill, Colyer, Curd, Dyer, Fowler, Gass, Girton, Grigsby, Grundy, Harris, Heady, Helm, Hickman, Hunton, Jackson, E. L. Johnson, Love, McNary, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, New, Patrick, Rodes, Shanks, Speedsmith, Spalding, Spigg, Stewart, Stotts, True, Turner, A. S. White, D. White, Whittington, G. W. Williams, Wilson, Wortham and Yantis—49.

The amendments proposed by the Senate to bills which originated in this house, of the following titles, were twice read and concurred in, viz:

1. An act to change the time of holding certain county courts, and for other purposes.
2. An act to authorize the county courts of Hardin and Knox to appoint additional constables.
3. An act concerning election precincts in certain counties.

*Ordered*, That the clerk inform the Senate thereof.

*Ordered*, That "a bill to alter the mode of summoning jurors," be committed to a select committee of Messrs Churchill, Ewing, Rudd, Helm and Spalding.

Engrossed bills of the following titles were severally read a third time, viz:

1. An act to add one additional term to the Anderson circuit court, for the year 1831.
2. An act to amend the law of descents, and for the distribution of intestates' estates.
3. An act more effectually to secure shipwrights and others in their claims on steam boats and other vessels.
4. An act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon.
5. An act more effectually to prevent swindling.

The first was committed to a select committee of Messrs D. White, James and McAfee; the fourth to a select committee of Messrs Churchill, Chambers, Ward, Thomas and Chiles; the fifth to a select committee of Messrs Phelps, C. Allan, Burns, Helm, Chambers and Speedsmith.

*Resolved*, That the second and third bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

And then the House adjourned.

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#### TUESDAY, DECEMBER 21, 1830.

On motion of Mr Yantis:

*Ordered*, That the committee appointed on the part of this house to examine the Auditor's office, be discharged from the performance of that duty.

The Speaker laid before the house, a letter from the President of the Bank of the Commonwealth, covering sundry statements and tables, exhibiting the state of that institution, and each of the branch districts, which are in the following words:

(See the annexed folding leaf.)

*Ordered*, That said report be referred to the committee of ways and means.

Mr Yantis read and laid on the table the following resolution:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That a joint committee of two from the Senate and four from the House of Representatives, be appointed to examine the books and accounts returned to the Bank of the Commonwealth, from the several branches of said bank.

And thereupon, the rule of the house having been dispensed with, the said resolution was taken up, twice read, and adopted.

*Ordered*, That the clerk carry the said resolution to the Senate and request their concurrence.

Mr McAfee, from the committee of propositions and grievances, made the following report:

To face page 106.

## THE HOUSE O

	<i>ovember, 1830.</i>	<i>CR.</i>
ember, 1830.	state,	\$ 4,230 68
anch District, on <i>CR.</i>	Bank of New-Hampshire,	1,671 94
	<i>ovember, 1830.</i>	<i>CR.</i>
	state, and loss, under discount, in suit, al expenses, from 10th Oct. 1829,	\$ 3,974 22 194 89 \$14,296 23 17,839 86—32,136 09 998 52
		\$37,803 22
	<i>ng the amount of Bad and Doubtful Debts, in the Bank and the several Branch Districts, on the 30th</i>	
	<i>Bad debts.</i>	<i>Doubtful debts.</i>
1829,      \$925 72	\$ 2,466	\$ 1,463
6 00	49,129 48	18,002 36
1 06—8,407 06	1,410	586 66
1,529 17	876	776
220 85		7,932 14
<hr/>		
\$11,082 80	14,714 49	12,640 07
	108	1,019 53
	3,576	1,153
	1,168 18	311 44
	2,137 18	1,964 14
	1,757	2,977
		1,536 60
	2,888 06	2,450
	<hr/>	<hr/>
	\$80,230 39	\$52,811 94
<i>CR.</i>		
t. 1829,    \$1,135 35		
305 62		
279 00—47,584 62		
3,705 55		
ators,        162 10		
<hr/>		
\$52,587 52		

EDMUND H. TAYLOR, *Cashier.*

## JOURNAL OF THE HOUSE OF REPRESENTATIVES.

To face page 106.

### BANK OF THE COMMONWEALTH OF KENTUCKY, 21st December, 1830.

SIR:—I have the honor herewith to transmit a report, shewing the situation of the Principal Bank, and each Branch District, on the 30th day of November, 1830, inclusive: also, a complete schedule of debts due to the Bank on that day. The notes under discount amount to the sum of \$667,470 47; notes in suit, to \$263,883 36; real estate, to \$60,106 24, making an aggregate sum of \$991,460 07.

From the best information that can be obtained, the bad debts amount to \$80,230 39, and the doubtful debts to \$52,811 94, making together a probable loss of \$133,042 33, which leaves due to the Bank, in good debts and real estate, the sum of \$858,417 74, exclusive of the defalcations at the Branches.

The discounts, or interest, received on notes discounted, from the 10th day of October, 1829, to the 30th day of November, 1830, amounts to the sum of \$70,433 51, and the expenses for the same period, to the sum of \$26,491 86, leaving a nett profit of \$43,941 65, which has been passed to the credit of the Treasurer.

The expenses for the last year have been greatly increased, by the payment of fees incidental to the robberies, and fee-bills, attorney's fees, &c. which have been standing for several years, but upon the withdrawal of the Branches, were all taken into the general accounts and settled, a considerable part of the two latter items will be collected by the Bank.

An arrangement has nearly been consummated with the securities of the late Cashier of the Mountsterling Branch, by which the principal of the debt will be secured to the Bank.

In reference to the sum reported to be due from Daniel Bradford, late Cashier at Lexington, it is proper to state that the greater part of it is due from his predecessor, and is made up principally of over drafts; but the exact amount due from each is not certainly ascertained—no loss is anticipated from either.

The amount reported to be due from B. F. Pleasants, late Cashier at Harrodsburg, includes the money in the vault of that Branch at the time of the robbery in April last; the exact amount of which has not been ascertained, but according to Mr. Pleasant's statement, did not exceed \$8000. An assurance has been received from a part of the securities, that the business shall be settled upon terms satisfactory to the Bank. A suit has been commenced against the late Cashier of the Louisville Branch, and his securities and is still pending.

Of the amount due from the former Cashier of the Bowlinggreen Branch, it is believed a small portion only will be saved to the Bank. The amount of the deficit has been greatly increased by pleas of payment on the part of sundry debtors, to the Cashier, in his lifetime, which there is good authority for believing would never have been heard of; if that gentleman had lived to attend to the suits brought by that Branch, and it is feared the amount will yet be increased in the same manner.

In obedience to a resolution of the General Assembly, approved 23d December, 1829, the President and Directors did, on the 13th day of February last, in the presence of the Governor, Auditor and Treasurer, cancel by burning \$270,414 05 cents of the notes of this Bank, leaving an amount of bills payable to bearer of \$500,000; about \$150,000 of which is now in the vaults of the Bank, leaving \$350,000 yet to be redeemed.

As there is no corresponding advantage resulting to the Bank for the trouble and risk of receiving money on deposit, it is respectfully submitted whether it would not be good policy to repeal so much of the 8th section of the charter as makes this a duty.

So far as the experiment has been tested, of substituting agents for the Branches, I feel authorized in saying that, it will redound greatly to the interest of the Bank, and that by an untiring zeal on the part of those to whom the administration of the concerns of the institution is committed, it will be wound up without any further loss to the state, and some part of the debts now reported to be bad and doubtful, will eventually be saved.

I beg leave to add, that the officers of the Bank will, at all times be ready to furnish the Representatives of the people with such information as they possess in relation to the situation of the institution.

Very respectfully, your obedient servant,

H. WINGATE, President.

Hon. JOHN J. CRITTENDEN, Speaker of the House of Representatives.

DR. Situation of the Principal Bank of the Commonwealth of Kentucky, on the 30th November, 1830.		CR.
To amount of discounts, (from 10th Oct. 1829,) \$ 15,162 62	By amount of notes under discount, \$148,940 14	
" amount of notes payable, 500,000	" amount of notes in suit, 40,248 00—\$189,188 14	
" amount of stock, 572,393 63	" amount due from Treasurer, 103,637 49	
" amount due Literary Fund, 8,496 92	" amount of real estate, 6,295 81	
" amount due Bank of Kentucky, 19,189 76	" amount of general expenses, from 10th Oct. 1829, 5,328 85	
" amount due Flemingsburg Branch, 1,529 17	" amount of profit and loss, 1,704 06	
" amount due individual depositors, 34,952 15	" amount due from Bowlinggreen Branch, 137,766 85	
	" ditto Falmouth ditto 12,827 56	
	" ditto Greensburg ditto 36,685 74	
	" ditto Harrodsburg ditto 169,967 12	
	" ditto Hartford ditto 56,349 70	
	" ditto Louisville ditto 107,207 97	
	" ditto Lexington ditto 39,378 58	
	" ditto Princeton ditto 30,622 55	
	" ditto Mountsterling ditto 43,406 84	
	" ditto Somerset ditto 30,256 88	
	" ditto Winchester ditto 17,619 82	
	" amount of Cash on hand, viz:	
	In specie, \$ 6,424 64	
	" Eastern and Southern notes, 1,319	
	" Notes Bank of the Com'th, 155,747 15—\$163,490 79	
		\$1,151,724 25

DR. Situation of the Bowlinggreen Branch District, on the 30th November, 1830.		CR.
To amount due Principal Bank, \$137,766 85	By amount due from A. Morehead, late cashier, \$19,076 23	
" amount of discounts (from 10th October, 1829,) 8,323 89	" amount of notes under discount, \$73,674 51	
" amount due individual depositors, 10,205 69	" amount of notes in suit, 53,872 43—127,546 94	
" amount due literary fund, 11,615 98	" amount of general expenses, (from 10th Oct. 1829,) 2,174 63	
	" amount of real estate, 18,200 53	
	" amount of profit and loss, 914 08	
		\$167,912 41

DR. Situation of the Flemingsburg Branch District, on the 30th November, 1830.		CR.
To amount due Literary Fund, \$10,173 59	By amount of general expenses, from 10th Oct. 1829, \$925 72	
" amount due individual depositors, 88 15	" amount of notes under discount, \$3,736 00	
" amount of discounts, from 10th Oct. 1829, 821 06	" amount of notes in suit, 4,671 06—\$4,070 06	
	" amount due from Principal Bank, 1,529 17	
	" amount of profit and loss, 220 85	
		\$11,082 80

DR. Situation of the Falmouth Branch District, on the 30th November, 1830.		CR.
To amount due Principal Bank, \$12,827 56	By amount of real estate, \$2,495 00	
" amount of discounts, from 10th October, 1829, 2,190 52	" amount of notes under discount, \$18,540 75	
" amount due individual depositors, 1,992 62	" amount of notes in suit, 8,982 00—22,522 75	
" amount due literary fund, 8,656 74	" amount of general expenses, from 10th Oct. 1829, 649 69	
		\$25,667 44

DR. Situation of the Greensburg Branch District, on the 30th November, 1830.		CR.
To amount due Literary Fund, \$11,383 69	By amount of general expenses, from 10th Oct. 1829, \$1,135 35	
" amount due individual depositors, 220 19	" amount of notes under discount, \$30,305 62	
" amount due Principal Bank, 36,685 74	" amount of notes in suit, 17,279 00—47,584 62	
" amount of discounts, from 10th Oct. 1829, 4,254 82	" amount of real estate, 3,705 55	
" amount due W. D. Barret, cashier, 43 18	" amount due from A. Waggener's administrators, 162 10	
		\$52,587 62
		\$52,587 52

DR. Situation of the Harrodsburg Branch District, on the 30th November, 1830.		CR.
To amount due Principal Bank, \$169,852 12	By amount of real estate, \$4,230 68	
" amount due individual depositors, 1,233 57	" amount due from Farmers' Bank of Harrodsburg, 1,671 94	
" amount of discounts, from 10th October, 1829, 10,189 63	" amount of bills of exchange, 1,027 98	
" amount due literary fund, 13,891 33	" amount due from Kentucky Exporting Company, 507	
	" amount of individual tickets, 798 63	
	" amount of notes under discount, \$127,039 16	
	" amount of notes in suit, 37,782 07—164,771 23	
	" amount of general expenses, from 10th Oct. 1829, 5,048 73	
	" amount due from B. F. Pleasants, late cashier, 17,110 46	
		\$195,166 65
		\$195,166 65

DR. Situation of the Hartford Branch District, on the 30th November, 1830.		CR.
To amount of discounts, from 10th October, 1829, \$5,673 91	By amount of notes under discount, \$60,395 68	
" amount due Principal Bank, 56,346 26	" amount of notes in suit, 6,938 92—\$67,334 60	
" amount due Literary Fund, 6,182 14	" amount of general expenses, from 10th Oct. 1829, 927 51	
" amount due individual depositors, 672 18	" amount of real estate, 612 38	
		\$68,874 49

DR. Situation of the Louisville Branch District, on the 30th November, 1830.		CR.
To amount due individual depositors, \$7,000 50	By amount of general expenses, from 10th Oct. 1829, \$3,752 64	
" amount due Principal Bank, 106,807 97	" amount of real estate, 17,829 27	
" amount due Lexington Branch, 53	" amount of notes under discount, \$73,086 00	
" amount of discounts, from 10th October, 1829, 9,948 86	" amount of notes in suit, 19,629 00—92,715 00	
" amount due Literary Fund, 17,510 98	" amount of profit and loss, 25,764 61	
	" amount due from W. D. Payne, late cashier, 507 32	
		\$140,568 84

DR. Situation of the Lexington Branch District, on the 30th November, 1830.		CR.
To amount due literary fund, \$14,597 70	By amount due from Louisville Branch,	



1. The committee of propositions and grievances have had under consideration a petition from sundry citizens of Ohio county, praying that they may be added to the county of Breck- enridge, and have come to the following decision:

*Resolved*, That said petition is reasonable.

2. Also, the petition of sundry citizens of Hart county, pray- ing an appropriation of five hundred dollars to improve the Elk Lick hill, and have come to the following decision:

*Resolved*, That said petition be rejected.

3. Also, the petition of Mrs. Anne Caldwell, praying that a portion of a debt due from her to the Commonwealth's bank, be remitted, and have come to the following decision:

*Resolved*, That said petition be rejected.

4. Also, the petition of sundry citizen of Laurel county, pray- ing to be exempted from toll on the turnpike gate, on the Madison fork of the Wilderness road, and have come to the follow- ing decision:

*Resolved*, That said petition be rejected.

Which being twice read, the first and fourth resolutions were laid on the table, and the second and third concurred in.

A message was received from the Senate, announcing the pas- sage of bills which originated in this house, of the following titles:

An act to amend an act entitled, "an act to provide for erect- ing two bridges across Rockcastle river, approved January 29, 1830.

An act for the benefit of Lucy and John Hackley—with an amendment to the latter bill.

The disagreement of the Senate to a bill which originated in this house of the following title:

An act for the benefit of Henry Weddington.

And the passage of bills which originated in the Senate of the following titles:

An act for the benefit of Jacob Ward—and

An act authorizing the Frankfort Argus to publish advertise- ments.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to amend the law concerning execu- tors and administrators, reported the same with an amendment.

Which being twice read was concurred in.

*Ordered*, That the said bill, as amended, be engrossed and read a third time to-morrow; and that the public printers, forth- with print one hundred and fifty copies of said bill for the use of the members of this house.

Mr. Hardy, from the committee of religion, to whom was re- ferred a bill for the divorce of William Whitworth, reported the same with an amendment.

Which being twice read, was concurred in. The said bill having been further amended, was ordered to be engrossed and read a third time to-morrow.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor did, on this day, approve and sign sundry enrolled bills, and a resolution, which originated in this house of the following titles:

A joint resolution, to appoint committees to examine the public offices.

An act to organize a fire company in the town of Paris.

An act to increase the powers of the Trustees of the town of Smithland.

An act for the benefit of James Honaker.

An act for the benefit of Jesse B. Bernard.

An act to continue in force, "an act for the benefit of the Headright and Tellico settlers," and for other purposes.

An act to legalize the election of Trustees for the town of Liberty.

An act to change the time of holding the Morgan county court.

An act to authorize the appointment of aditional constables and justices of the peace, in certain counties.

*Ordered*, That Mr Barlow inform the Senate thereof.

On motion of Mr C. Allan:

*Ordered*, That the committee of ways and means be discharged from the consideration of the report and petition of the President and Managers of the Louisville Marine Hospital, and that the same be referred to the committee of claims.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr McAfee, from the committee of propositions and grievances—1. A bill for the benefit of Thomas Goodwin.

By Mr Love, from the committee of claims—2. A bill concerning the Lunatic Assylum.

By Mr Guthrie, from the committee for courts of justice—3. A bill to provide for the appointment of Attorneys for the Commonwealth.

By Mr Hardy, from the committee of religion—4. A bill to divorce Elizabeth Fanning from her husband, Joseph Fanning.

By Mr J. T. Morehead, from the committee on internal improvements—5. A bill to provide for the improvement of a road from the Estill county line, by way of Perry court house, to the Virginia state line.

By Mr Yantis—6. A bill for the benefit of Uriah Ecton.

By Mr Murray—7. A bill to reduce the price of the public lands in the district of country west of the Tennessee river.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the second, third, fourth, sixth and seventh bills having been dispensed with; the second was committed to the committee of claims; the third, to the committee for courts of justice; the seventh, to the committee of ways and means; and the fourth and sixth were ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the fourth and sixth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

Mr Churchill, from the select committee to whom was referred an engrossed bill entitled, an act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon, reported the same with an amendment.

Which being twice read, was disagreed to.

The orders of the day were then taken up for consideration.

An engrossed bill entitled, an act to amend the several acts concerning the opening and changing the public roads, was read a third time and committed to a select committee of Messrs. Turner, McAfee, Tomlinson and C. Allan.

An engrossed bill entitled, an act to provide for removing the obstructions to the navigation of the Rolling Fork of Salt river, was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs Mize and Beall, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Burns, Chambers, Chiles, Churchill, Colyer, Copeland, Crutchfield, Dickson, Dyer, Ewing, Fowler, Gaines, Gass, Girton, Grigsby, Grundy, Guthrie, Hall, Hardy, Hayes, Haynes, Heady, Helm, Hickman, Hobbs, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, Murray, Norvill, Patrick, Patton, Robb, Roberts, Rudd, Shanks, Spalding, Sprigg, Stewart, Strother, Thomas, Vallandigham, Ward, A. S. White, G. W. Williams, Wilson and Wortham—55.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Cassidy, Chowning, Colglazer, Curd, Dawson, Fields, Harris, Henderson, Jackson, James, A. Johnson, E. L. Johnson, McAfee, W. N. Marshall, Mize, Patterson, Phelps, Pierce, Preston, Ray, Rodes, Sisk, Smith, Speedsmith,

Stotts, Tomlinson, Tompkins, True, Turner, D. White, Whittington, S. Williams, W. J. Williams and Yantis—39.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

An engrossed bill entitled, an act to remove the obstructions to the navigation of Muddy river, and for other purposes, was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage thereof, by Messrs W. J. Williams and Ewing, were as follows:

YEAS—Messrs. C Allan, Anderson, Beall, Butler, Burns, Chambers, Chiles, Churchill, Colyer, Copeland, Crutchfield, Dickson, Dyer, Ewing, Fowler, Gaines, Gass, Girton, Grigsby, Grundy, Guthrie, Hall, Hardy, Hayes, Haynes, Heady, Helm, Hickman, Hobbs, A. Johnson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, Murray, Norvill, Patrick, Patton, Roberts, Rudd, Shanks, Spalding, Stewart, Strother, Thomas, Vallandigham, Ward, A. S. White, G. W. Williams, Wilson and Wortham—52.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Cassidy, Chowning, Colglazer, Curd, Dawson, Fields, Harris, Henderson, Hunton, Jackson, James, E. L. Johnson, McAfee, W. N. Marshall, Mize, Patterson, Phelps, Pierce, Preston, Ray, Rodes, Robb, Sisk, Smith, Speedsmith, Stotts, Tomlinson, Tompkins, True, Turner, D. White, Whittington, S. Williams, W. J. Williams and Yantis—40.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

And then the House adjourned.

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WEDNESDAY, DECEMBER 22, 1830.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act to authorize David and John Trimble to erect a dam across Little Sandy river, at the blue ripple.

An act for the benefit of Morton A. Rucker, late Sheriff of Caldwell county.

An act for the benefit of James Morse.

An act allowing additional justices of the peace to certain counties.

Also, of bills which originated in the Senate, of the following titles:

An act to establish a new judicial district.

An act to amend an act entitled, "an act for the benefit of Jereboam Beauchamp, approved January, 1829."

An act for the benefit of the Washington Academy.

An act to establish the town of Colemansville.

And that the Senate have received official information that the Governor did, on the 21st instant, approve and sign, enrolled bills, which originated in the Senate, of the following titles:

An act to incorporate the trustees of the Pilot Knob meeting house, in Simpson county.

An act to authorize the Trustees of the town of New Castle to sell a part of the public ground in said town—and

An act for the relief of Daniel Trabue and others.

1. Mr Hardy presented the petition of sundry citizens of Cumberland, Wayne and Russell counties, praying the formation of a new county out of parts of said counties.

2. Also, the remonstrance of sundry citizens of Wayne county, against the formation of said county.

Which petition and remonstrance were severally received, the reading thereof dispensed with, and referred to the committee of propositions and grievances.

Mr McAfee, from the committee of propositions and grievances made the following report:

The committee of propositions and grievances, have had under their consideration the petition of sundry citizens of Warren, Allen and Barren counties, praying that a new county may be erected out of parts of each, and have come to the following decision:

*Resolved*, That said petition be rejected.

Also, the petition of sundry citizens of Trigg county, praying that a controversy in said county, in relation to the seat of justice, may be settled by a vote of the people of said county, and have come to the following decision:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr J. T. Morehead, from the committee on internal improvements made the following report:

The committee on internal improvements, have had under consideration the petition of James Lindsay, praying for the privilege of building a mill-dam across Green river, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr Morehead, from the same committee, to whom was referred a bill to appropriate some of the vacant lands of Casey county to improve the road leading from the town of Liberty to where the said road crosses the Rolling Fork, near Tim-

othy Goode's, in a direction to Springfield, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be amended by adding thereto the words "and for other purposes."

*Ordered*, That that the clerk carry the said bill to the Senate and request their concurrence.

Mr Morehead from the same committee to whom was referred, "a bill to incorporate the Ohio Bridge Company;" also "a bill to incorporate a Turnpike road from Louisville to Bardstown, and on to Springfield, and to Lebanon," reported the former with an amendment, and the latter without amendment.

The said amendment being concurred in:

*Ordered*, That the said bills be engrossed, and read a third time to-morrow.

Mr Turner from the select committee to whom was referred an engrossed bill entitled, an act to amend the several laws concerning the opening and changing the public roads, reported the same with an amendment.

*Ordered*, That the said bill and proposed amendment be re-committed to a select committee of Messrs. Ewing, Turner, Chiles, McAfee and Beall.

Mr Dawson, from the select committee to whom was referred a bill to authorize Samuel and John Hatler to build a mill-dam across Big Barren river, reported the same with an amendment.

Which being twice read, was concurred in. The said bill was then re-committed to the committee on internal improvement.

A message was received from the Governor, by Mr. Crittenden, his Secretary, which was read as follows, viz:

*Gentlemen of the House of Representatives:*

I herewith communicate to you, the remonstrance of certain persons, claiming to reside in Simpson county, near the line between this state and Tennessee, against the establishment of said line, in such manner as to include them within the state of Tennessee.

THOMAS METCALFE.

*Ordered*, That the said message, together with the remonstrance therein referred to, as also the report of the surveyor appointed to run and mark a part of the line between the state

of Kentucky and Tennessee, be referred to a select committee of Messrs Yantis, Guthrie, Norville, Ewing, James, J. T. Morehead and W. J. Williams.

The following bills were reported by the several committees appointed to prepare and bring in the same:

By Mr McAfee, from the committee of propositions and grievances—1. A bill to amend the law concerning water grist mills.

By Mr Butler—2. A bill to amend an act entitled, "an act to constitute a board of internal improvements for Shelby county, approved January 29, 1830."

By Mr Barlow—3. A bill to appropriate the fines and forfeitures in Monroe county to the improvement of the roads in said county.

By Mr Wortham—4. A bill to improve the navigation of Nolin.

By Mr Rodes—5. A bill to amend the law for the collection of debts within the jurisdiction of justices of the peace.

By Mr Ewing—6. A bill for the benefit of A. R. Macey.

By Mr Guthrie—7. A bill to amend and reduce into one, the several acts or parts of acts, for regulating conveyances, and to prescribe the mode of authenticating the same for record.

By Mr Burns—8. A bill to prevent future confusions of land claims, and to secure to seatters and improvers a preference of location to lands improved by them.

By Mr Dyer—9. A bill to provide for building a bridge across Rough creek, at the town of Hartford.

By Mr Smith—10. A bill for the benefit of Stephen Richardson and Jackson D. Jameson.

By Mr Wilson—11. A bill to amend an act entitled, "an act to organize two Fire Companies in the town of Lexington, and for other purposes.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the third, fourth, fifth, sixth, seventh, ninth, tenth and eleventh bills having been dispensed with; the third, fourth and ninth were committed to the committee on internal improvements; the fifth and seventh, to the committee for courts of justice; the sixth, to the committee of claims; the tenth to a select committee of Messrs Dyer, Smith and Fowler; and the eleventh, to a select committee of Messrs Colglazer, Wilson and Ewing.

On motion—

*Ordered*, That the public printers forthwith print five hundred copies of the report from the Bank of the Commonwealth.

*Ordered*, That the engrossed bill entitled, an act for the benefit of Lucy and John Hackley, with the amendment proposed thereto, by the Senate, be referred to the committee for courts of justice.

Engrossed bills of the following titles were severally read a third time.

1. An act for the divorce of William Whitworth—and
2. An act to amend the law concerning executors and administrators.

*Resolved*, That the former bill do pass, and that the title thereof be, "an act for the divorce of William Whitworth, Mary Denton and Thomas Neale."

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

*Ordered*, That the second bill be recommitted to a select committee of Messrs Turner, Chambers and Love.

An engrossed bill entitled, "an act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon," was read a third time:

And the question being taken on the passage thereof, it was decided in the negative.

The yeas and nays being required thereon by Messrs Tomlinson and Ward, were as follows, viz:

YEAS—Messrs. C. Allan, Anderson, Beall, Butler, Burns, Cassidy, Chambers, Chiles, Churchill, Colyer, Dickson, Dyer, Ewing, Fowler, Gass, Girton, Grigsby, Grundy, Guthrie, Hardy, Hayes, Heady, Helm, Hickman, Hobbs, Love, J. K. Marshall, J. T. Morehead, Murray, Norville, Patton, Rudd, Russell, Spalding, Stewart, Thomas, Ward, A. S. White, D. White, Whittington, G. W. Williams and Wilson—42.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Calhoon, Colglazer, Copeland, Curd, Dawson, Hall, Harris, Henderson, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lewis, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Patterson, Patrick, Phelps, Ray, Rodes, Robb, Sisk, Smith, Speedsmith, Stotts, Tomlinson, Tompkins, True, Turner, S. Williams, W. J. Williams, Wortham and Yantis—42.

Mr. Calhoon, from the majority on the foregoing vote, by which said bill was rejected, moved a reconsideration thereof:

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tomlinson and Barlow, were as follows, viz:

YEAS—Messrs C. Allan, Anderson, Beall, Butler, Burns, Calhoon, Cassidy, Chambers, Chiles, Churchill, Copeland, Curd, Dickson, Dyer, Ewing, Fowler, Gass, Girton, Grigsby, Grundy, Guthrie, Hardy, Hayes, Heady,

Helm, Henderson, Hickman, Hobbs, Hunton, James, Lewis, Love, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Norvill, Patterson, Patton, Rodes, Roberts, Rudd, Russell, Spalding, Stewart, Thomas, True, Ward, A. S. White, D. White, Whittington, G. W. Williams, Wilson and Wortham—55.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Colglazer, Colyer, Dawson, Hall, Harris, Haynes, Jackson, A. Johnson, McAfee, W. N. Marshall, Mize, P. Morehead, Patrick, Phelps, Robb, Sisk, Smith, Speedsmith, Stotts, Tomlinson, Tompkins, Turner, S. Williams, W. J. Williams, and Yantis—30.

The question was then taken on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon by Messrs Ward and Tomlinson, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Burns, Cassidy, Chambers, Chiles, Churchill, Colyer, Dickson, Dyer, Fowler, Gass, Girton, Grigsby, Grundy, Guthrie, Hardy, Hayes, Heady, Helm, Hickman, Hobbs, Love, J. K. Marshall, J. T. Morehead, Murray, New, Norvill, Patton, Roberts, Rudd, Russell, Spalding, Stewart, Thomas, Ward, A. S. White, D. White, Whittington, G. W. Williams and Wilson—44.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Calhoon, Colglazer, Copeland, Curd, Dawson, Hall, Harris, Haynes, Henderson, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lewis, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Patterson, Patrick, Phelps, Pierce, Ray, Rodes, Robb, Sisk, Smith, Speedsmith, Stotts, Tomlinson, Tompkins, True, Turner, S. Williams, W. J. Williams, Wortham and Yantis—43.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

The following bills were severally read a second time:

1. A bill to add a part of Pulaski County to the county of Wayne.

2. A bill for the benefit of Thomas Triplett and Moses B. Morrison

3. A bill to amend an act entitled, an act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

4. A bill to authorize John Gose to change a part of the state road in Morgan county.

5. A bill to repeal the law allowing pay for slaves executed.

The first and fourth were severally ordered to be engrossed and read a third time; the second was committed to the committee for courts of justice; the third, to the committee on inter-

nal improvement; and the fifth, to a committee of the whole house for the 29th instant.

And thereupon, the rule of the house, constitutional provision and third reading of the first bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time, viz:

1. An act for the benefit of John Staton.
2. An act for the benefit of the heirs of Henry Perkins.
3. An act for the benefit of John Judd.
4. An act for the benefit of William Winslow, clerk of the Gallatin circuit court.
5. An act to amend the several laws against unlawful gaming.
6. An act repealing all laws allowing licences to billiard table keepers, and for other purposes.
7. An act to alter the time of holding the county courts of Barren.
8. An act to amend an act authorizing certain county courts to appoint reviewers to view a way from Thomas Kennedy's, in Garrard county, to the Green river salt works.
9. An act for the benefit of Ann Eliza Nelson.
10. An act to appropriate the fines and forfeitures of Hardin county towards lessening the county levy.
11. An act to amend an act, to establish an election precinct in Green county, approved December, the sixteenth eighteen hundred and twenty-nine.

*Ordered*, That the public printers forthwith print one hundred and fifty copies of the fifth bill, for the use of the members of this house.

And thereupon, the rule of the house, constitutional provision and third reading of the third, fourth, seventh, eighth and tenth bills having been dispensed with; the third was committed to a select committee of Messrs Barlow, Dawson and Preston; the fourth, seventh and eighth, (the fourth having been amended,) were ordered to be read a third time; and the tenth was committed to the committee on education.

And thereupon the rule of the house, constitutional provision and third reading of the fourth, seventh and eighth bills having been dispensed with:

*Resolved*, That the said bills do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the amendment proposed to the fourth bill.

Mr Guthrie, from the majority on the vote, by which a resolution for a recess of the General Assembly, from the 23rd to the 27th instant, was rejected, moved for a re-consideration, of said vote.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on adopting the said resolution, which was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Love and Ewing, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Barrett, Beall, Brown, Chowning, Colglazer, Curd, Dyer, Fowler, Gass, Girton, Grigsby, Grundy, Guthrie, Hall, Heady, Helm, Hickman, A. Johnson, E. L. Johnson, Lewis, McAfee, McNary, J. K. Marshall, W. N. Marshall, New, Patterson, Phelps, Preston, Ray, Rodes, Robb, Roberts, Rudd, Russell, Shanks, Sisk, Speedsmith, Spalding, Sprigg, Tomlinson, Tompkins, True, Turner, Ward, D. White, Whittington, G. W. Williams, Wilson and Vantis—52.

NAYS—Messrs. Anderson, Baker, Barlow, Butler, Burns, Calhoon, Cassidy, Chambers, Chiles, Churchill, Colyer, Copeland, Dawson, Ewing, Hardy, Harris, Hayes, Haynes, Henderson, Hobb's, Hunton, Jackson, James, Love, Mize, J. T. Morehead, P. Morehead, Murray, Norville, Patrick, Patton, Pierce, Smith, Stewart, Stotts, Thomas, A. S. White, S. Williams, W. J. Williams and Wortham—40.

*Ordered*, That the clerk carry the said resolution to the Senate and request their concurrence.

And then the House adjourned.

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THURSDAY, DECEMBER 23, 1830.

1. Mr Morehead presented the petition of William T. Henderson, praying that additional compensation may be made him for surveying the lands west of the Tennessee river.

2. Also, the petition of sundry citizens of Mercer, Logan and other counties, praying the repeal of an act of Assembly, passed in 1828, "regulating civil proceedings against the communities of Shakers."

3. Mr Phelps presented the memorial of sundry citizens of Campbell county, praying that an enquiry may be instituted into the qualifications and conduct of the judge of the second judicial district of this state.

4. Mr Hunton presented the petition of Anthony Gale, praying a divorce from his wife, Catharine.

5. Mr W. J. Williams presented the petition of the administrators of Greenberry Dearthrage, praying that a law may pass, authorizing him to sell a tract of land to pay the debts of his intestate.

6. Mr Sprigg presented the petition of Masterson Ogden, praying the passage of a law, to authorize the proper officer to pay over to him the amount of the per cent and damages, on a judgment rendered against Lawrence Gordon, as high sheriff of Henry county; the said Ogden having paid the same to Gordon, as the security of B. R. Pollard, deputy of said Gordon.

Which petitions were severally received, the reading thereof dispensed with, and referred: the second, fifth and sixth, to the committee for courts of justice; the fourth, to the committee of religion; the first, to a select committee of Messrs. J. T. Morehead, Chambers, Guthrie, C. Allan, Dawson, Ewing, Murray and James; and the third, to a select committee of Messrs. Yantis, Dickson, Sprigg, J. T. Morehead, Ward, D. White, Whittington, Haynes and Hunton.

Leave was given to bring in the following bills:

On motion of Mr Sprigg—1. A bill to give additional powers to the Trustees of the town of Shelbyville.

On motion of Mr Colyer—2. A bill to amend the laws concerning the turnpike and wilderness roads, and the roads leading to the Goose creek salt works.

On motion of Mr Anderson—3. A bill for the benefit of the sheriff of Edmondson county.

On motion of Mr Guthrie—4. A bill to amend the several acts incorporating the Louisville Turnpike Company.

On motion of Mr S. Williams—5. A bill to appropriate some of the vacant lands in the counties of Wayne and Pulaski, to improve the navigation of the big south fork of Cumberland river, and for other purposes.

On motion of Mr Ward—6. A bill to repeal the act entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties."

On motion of Mr Burns—7. A bill to provide for building a bridge across the mouth of Big Bear creek, in the county of Lawrence.

On motion of Mr Roberts—8. A bill to amend the militia laws, and for other purposes.

On motion of Mr Barlow—9. A bill to require individuals who exhibit animals and other curiosities in this Commonwealth, to procure licence for that purpose, and for other purposes.

On motion of Mr James—10. A bill to establish the town of Moscow in the county of Hickman, and to incorporate a seminary of learning in said town.

On motion of Mr Colyer—11. A bill to authorize the overseer of the Crab Orchard wilderness road to aid in putting and keeping in repair Water street, in the the town of Mount Vernon.

On motion of Mr Ewing—12. A bill to renew and establish a road from Owenborough, on the Ohio river, to Russellville.

On motion of Mr Chiles—13. A bill regulating brigade drills in the 15th brigade.

On motion of Mr Patton—14. A bill to authorize the county court of Christian to open a road from Hopkinsville to Edward Wooldridge's coal banks in said county.

On motion of Mr Grigsby—15. A bill to increase the powers of the Trustees of Mount Washington, and for other purposes.

On motion of Mr Pierce—16. A bill to establish a road from Bardstown to the Tennessee state line, in the direction to Knoxville.

On motion of Mr Butler—17. A bill to regulate the duties and increase the responsibilities of the civil officers of this Commonwealth.

On motion of Mr Dickson—18. A bill to amend the several laws of this Commonwealth, regulating the estates of *femes covert*, and for other purposes.

On motion of Mr Tomlinson—19. A bill to authorize the debtors to the Bank of the Commonwealth to pay specie, in place of its paper, at the present value of the paper.

Messrs Sprigg, A. White and Butler, were appointed a committee to prepare and bring in the first; Messrs Colyer, Jackson, Turner, Rodes and Love, the second; Messrs Anderson, J. T. Morehead and Preston, the third; Messrs Guthrie, Churchill and McAfee, the fourth; Messrs S. Williams, Pierce and Smith, the fifth; Messrs Ward, Burns and Chiles, the sixth; Messrs Burns, Ward and Lackey, the seventh; Messrs Roberts, Ewing, Chiles and Beall, the eighth; Messrs Barlow, Speedsmith and C. Allan, the ninth; Messrs James, Murray and Haynes, the tenth; Messrs Colyer, Love and Yantis, the eleventh; Messrs Ewing, Calhoon, Dyer, Anderson and McNary, the twelfth; Messrs Chiles, Haynes, Thomas and Gass, the thirteenth; Messrs Patton, Rudd and Murray, the fourteenth; Messrs Grigsby, Helm and Heady, the fifteenth; Messrs Pierce, S. Williams, Rudd and Barrett, the sixteenth; Messrs Butler, C. Allan and Chambers, the seventeenth; Messrs Dickson, Fowler and Calhoon, the eighteenth; and Messrs Tomlinson, Tompkins, McAfee and Rudd, the nineteenth.

Mr S. Williams moved for leave to bring in a bill to increase the jurisdiction of justices of the peace to one hundred dollars.

And the question being taken on granting said leave, it was decided in the negative, and so the said motion was disagreed to.

The yeas and nays being required thereon, by Messrs S. Williams and Churchill, were as follows:

YEAS—Messrs C. Allan, B. Allen, Chiles, Chowning, Churchill, Colglazer, Copeland, Curd, Ewing, Gass, Harris, Hayes, Heady, Hunton, James, Lackey, J. T. Morehead, P. Morehead, Patrick, Phelps, Ray, Rudd, Sisk, Smith, Stewart, Tomlinson, Ward, S. Williams and W. J. Williams—29.

NAYS—Messrs. Anderson, Baker, Barlow, Beall, Butler, Burns, Calhoon, Chambers, Colyer, Dawson, Dickson, Dyer, Fowler, Grigsby, Guthrie, Hardy, Haynes, Helm, Henderson, Hobbs, Jackson, Love, McAfee, McNary, Mize, New, Patterson, Patton, Preston, Roberts, Shanks, Speedsmith, Sprigg, Thomas, A. S. White, D. White and Wortham—37.

A message was received from the Senate, announcing the passage of a bill, which originated in this house, entitled, an act to authorize the Board of Internal Improvement for Shelby county to erect a toll gate—with an amendment.

And the passage of bills of the following titles:

An act for the benefit of the heirs of Quinton Stewart—and  
An act for the benefit of John H. Rudd.

The Speaker laid before the house the annual report from the President and Directors of the Maysville, Washington, Paris and Lexington Turnpike Road Company, which was received and read as follows, viz:

*Maysville, 10th December, 1830.*

THE HON. JOHN J. CRITTENDEN:

SIR:—In obedience to an order of the Directors of the Maysville, Washington, Paris and Lexington Turnpike Road Company, I have the honor to transmit to you the report of the Board of Directors, upon the subject of the road aforesaid, which you will please lay before the house over which you preside.

I am, respectfully, your obedient servant,

JOHN ARMSTRONG, *President.*

*To the General Assembly of the Commonwealth of Kentucky.*

The President and Directors of the Maysville, Washington, Paris and Lexington Turnpike road Company, beg leave to report:

That under the act of January, 1829, incorporating the Maysville and Washington Turnpike road Company, they caused books to be opened for the subscription of stock, and received subscriptions for 300 shares, and in the course of the present and preceding year, have completed a McAdamised road from Maysville, to the south boundary of the town of Washington; which they are gratified in being able confidently to assure your honorable body, is not inferior to the best roads of that description,

constructed in any part of the United States. But in the execution of the work they have had to encounter considerable difficulties, and an increased expenditure, growing out of the want of experienced undertakers, and a consequent absence of competition amongst the few who had sufficient experience in such undertakings, to venture to contract for the execution of the work. The season too, immediately succeeding the commencement, was unfavorable to the rapid execution of the work, owing to the unusual quantity of rain; and hence, not only the completion of the work was retarded, but some slight imperfections in its execution, which will, for a time, occasion some increase of expenditure upon its repairs, beyond what, under more favorable circumstances, might have been necessary. That portion of the road which is completed, is four miles, thirty-five and a half poles, in length, and the entire cost of its construction, is \$32,352 98 cents, or \$7,870 40 cents per mile, including the erection of a toll house and gate. The expenditure on the part of the road, to persons unacquainted with the character of the ground over which it passes, and with the difficulties, incident to a first effort to construct works of this kind, in a country in which the labour and experience necessary to effect them, was so entirely unknown, as totally to deter resident citizens from engaging in them; but when these facts are understood, and the proper allowance made for them, the sum expended upon this part of the road, may rather be considered moderate, than extravagant; but however that may be, it certainly forms no data upon which to calculate the cost of any additional portion of said road, as the contracts already made will show.

They would state, to your honorable body, that in the execution of the work now completed, they have surmounted the river hill, and passed over the most broken and difficult part of the route from Maysville to Lexington.

That, on the 8th day of last month, they were enabled, (under the restrictions imposed by the charter,) to bring the toll gate into use, and that in doing so, they have, in consideration of the limited extent of their road, and consequent necessity of conforming the weight of the loads passing over it, to the state of the unimproved parts of the road, reduced the tolls from what are allowed by the original charter, for a wagon with five or six horses, to  $37\frac{1}{2}$  cents; and for a wagon with four horses, to  $31\frac{1}{4}$  cents; and have claimed no tolls from passengers in stages, or carriages, or on foot, and yet under this reduction of the tolls and the avoidance of the gate before the rainy season, by a very large proportion of the wagons going to Maysville, they have the high gratification of informing your honourable body, that the tolls received at their gate, have produced an average income upon the large amount expended in the construction of the road, at the rate of about ten per centum, per annum.

They further state, that under the act passed at your last session, amendatory of the original charter, authorizing the extension of the Turnpike

[DEC. 23.

road, from the south end of Washington to Lexington, they caused books to be opened for the subscription of stock at the most important points on the whole line, and have received subscriptions,

In the county of Mason,	for	154 shares
" of Nicholas,	"	27 "
" of Bourbon,	"	432 "
" of Fayette,	"	220 "
		883
		250
	Making in all	1,083

By the Governor on behalf of the State,

Under the authority of the amendatory acts, and predicated upon the subscription of stock as aforesaid, and their full confidence of an increased subscription, so soon as the stock, reserved for the subscription of the General Government, should become subject to individual subscription, and in the hope, that your honorable body would be disposed to give further aid to a work of so much importance to the State; they have, in the course of the last summer and fall, put under contract three additional sections of said road, to-wit: in the county of Mason, about ten miles, commencing at the south end of Washington. In the county of Bourbon, about ten and three quarter miles, commencing at Paris, and extending towards Maysville, and in the county of Fayette, about five miles, commencing at Lexington, and extending towards Paris: at an average cost of \$4,936 80 cents per mile, the northern section being the most expensive; owing to its passing the hills on both sides of, and adjacent to, the north fork of Licking and Lee's creek; and the southern section, the least so.

Preparatory to meeting these contracts, their engineer made a minute and accurate survey of the route, and ascertained that the entire line from Washington to Lexington, could be constructed at a graduation of two degrees, and their contracts already made, embracing the most difficult parts of said route, have been predicated on that calculation, and if the road should be carried on and completed, on the plan upon which it has been commenced, it will present, as they believe, the greatest extent of road upon that graduation, to be found in the United States.

They beg leave to refer your honourable body to the report of John S. Williams, Esq. their engineer, made on the 1st inst. and which accompanies the report.

By a provision in the original charter, none but a citizen of the county of Mason, is eligible as a President, Director or Treasurer of said Company: they pray that the charter may be so amended as to authorize any stockholder in said company, to be eligible to either of said offices.

All which is respectfully reported, by order of the Board.

JOHN ARMSTRONG, *President.*

DECEMBER 10th, 1880.

*Ordered*, That the public printers, forthwith print one hundred and fifty copies thereof, for the use of the members of this house; and that the said report be referred to the committee on internal improvement.

Mr J. T. Morehead read and laid on the table the following joint resolution, viz:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That a committee of three in the Senate and six in the House of Representatives, be appointed to examine the present situation of Transylvania University and the Lunatic Asylum, at Lexington. And that a committee of two in the Senate and four in the House, be appointed to visit and examine the condition of the Deaf and Dumb Assylum, at Danville; and that said committees report, &c.

And thereupon the rule of the house having been dispensed with, the said resolution was taken up, twice read and disagreed to.

Mr Phelps, from the joint committee appointed to confer on the constitutional power of the Legislature to pass laws to authorize a sale of the real estate of infants and *femes covert*, made a report, which was received, read and laid on the table.

On motion—

*Ordered*, That the report of the committee of claims on the petition of P. S. Loughborough, be recommitted to the said committee.

The house took up a joint resolution fixing on a day for the election of a Senator in Congress.

*Ordered*, That the further consideration of said resolution be postponed until Monday the 3d day of January next.

The house took up for consideration the report of the committee of propositions and grievances on the petition of Thomas Taylor and George Shrader's heirs, made on the 11th instant, which being twice read, was concurred in.

*Ordered*, That the said committee prepare and bring in a bill pursuant to said resolution.

On motion—

*Ordered*, That the public printers forthwith print one hundred and fifty copies of the report of the surveyors appointed to run part of the line between this state and the state of Tennessee, for the use of the members of this house.

Mr Colglazer, from the select committee to whom was referred a bill to amend an act entitled, "an act to organize two fire companies in the town of Lexington, and for other purposes," reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be amended by adding thereto the words "and for other purposes."

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Ewing—1. A bill further to regulate the Court of Appeals.

By Mr Guthrie—2. A bill to amend the several acts incorporating the Louisville Turnpike Company.

By Mr Chiles—3. A bill regulating brigade drills in the 15th brigade.

By Mr J. T. Morehead—4. A bill to amend an act entitled, an act for the benefit of the surveyor of Hopkins county.

By Mr Anderson—5. A bill for the benefit of the sheriff of Edmonson county.

By Mr Hardy—6. A bill for the benefit of James Herod.

By Mr Roberts—7. A bill for appropriating two thousand dollars, for the purpose of improving the navigation of the Rolling Fork of Salt river—and

By Mr McAfee—8. A bill for the benefit of children of wives abandoned by their husbands.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the second, fourth, fifth, sixth and seventh bills having been dispensed with; the second, fourth, fifth and sixth were severally ordered to be engrossed and read a third time; and the seventh was committed to the committee on internal improvement.

And thereupon, the rule of the house, constitutional provision and third reading of the second, fourth, fifth and sixth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

A bill from the Senate entitled, an act for the benefit of Ann Eliza Nelson, was read a second time and committed to the committee of religion.

And then the House adjourned.

*MONDAY, DECEMBER, 27, 1830.*

The Speaker took the chair, and there not being a quorum present, the house was adjourned to meet on to-morrow morning, 10 o'clock.

*TUESDAY, DECEMBER 28, 1830.*

1. The Speaker laid before the house a remonstrance from the President and Directors of the Louisville and Portland Canal Company, against the passage of a law authorizing the construction of a rail road from Louisville to Portland.

2. Mr Love presented the petition of R. S. Brashear, praying compensation for keeping Delilah Johnson, a lunatic.

3. Mr Calhoon presented the petition of sundry citizens of Warren, Grayson, Ohio, Edmondson and Butler counties, praying the establishment of a road from Cloverport to Bowling-green, and an appropriation to aid in making said road.

4. Mr Hunton presented the petition of B. C. Crow and James Harvey, praying compensation for acting as guard over several persons, confined on a charge of felony.

5. Mr Thomas presented the petition of M. Harrison, praying that a law may pass, authorizing him to draw from the public treasury the amount of the damages paid by him to the Sergeant of the General court, on a judgment rendered against him for failing to pay into the treasury the taxes received by him on law process, deeds, &c.

6. Mr Guthrie presented the petition of James T. Martin, praying that a sum of money advanced by him to a physician, for attending upon — Jenkins, taken from the Jefferson county jail to the Marine Hospital, may be refunded to him.

7. Mr Whittington presented the petition of the heirs and devisees of Col. William Steele, praying the appropriation of fifteen hundred dollars, to remunerate them for money advanced by their ancestor, and for services rendered in running and marking the line between Kentucky and Tennessee.

8. Mr D. White presented the petition of Ambrose Wicksam, praying the reimbursement of a sum of money paid by him, as security for S. P. Jenkins, which money was applied to the making of the stone stair case, in the capitol.

9. Mr J. T. Morehead presented the petition of W. L. Palmer, praying a change of venue for his trial, upon an indictment found against him in the Warren circuit court, on a charge of perjury.

10. Mr Gaines presented the petition of James F. Robinson and others, praying compensation for their services as commissioners, appointed under an act of Assembly, "to examine, ascertain and report certain facts respecting the turnpike road between Georgetown and Cincinnati.

11. Mr. Smith presented the petition of sundry citizens of Pulaski county, praying that a law may pass, making compensation to Mrs. Elizabeth Barnes, for keeping her husband, John Barnes, a lunatic.

12. Mr Ward presented the petition of sundry citizens of Greenup county, praying the passage of a law, allowing an additional justice of the peace and constable to said county.

13. Mr Fowler presented the petition of sundry citizens of Livingston county, praying the establishment of an election precinct in said county.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first and third, to the committee on internal improvement; the second, fourth, fifth, sixth, eighth, tenth and eleventh, to the committee of claims; the ninth, to the committee for courts of justice; the thirteenth, to the committee of propositions and grievances; the seventh, to a select committee of Messrs Whittington, McAfee, Butler and D. White; and the twelfth, to a select committee of Messrs. Ward, Henderson and Thomas.

A message was received from the Senate, announcing the passage of bills and a resolution which originated in this house, of the following titles:

An act to incorporate the trustees of Liberty meeting house, in Logan county.

An act to amend the duelling law.

An act for the benefit of Archibald Frizzel, coroner of Lewis county.

An act to amend an act entitled, an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness state road.

An act to authorize Silas M. Williams to erect a dam and mill on Big Barren river.

An act to amend the act regulating the appropriation of fines and forfeitures, so far as regards the counties of Christian, Madison, Russell and Estill.

An act to change the time of holding the Simpson and Todd circuit courts, and for other purposes—with an amendment to the latter bill.

A resolution to appoint a committee to examine the books and accounts of the several branches of the Bank of the Commonwealth.

And had appointed a committee on their part.

And the passage of bills and resolutions of the following titles:

An act to amend the law concerning the powers of the Trustees of the town of Glasgow, and for other purposes.

An act to amend the law regulating conveyances.

An act to amend the law concerning constables.

An act to amend the act concerning the public highways in the county of Fayette, and for other purposes.

An act for the benefit of Nicholas Valentine.

An act further to regulate the town of Springfield.

A resolution fixing on a day for the election of a Senator in Congress, a Treasurer, Public Printer, President and Directors of the Bank of Kentucky, and of the Bank of the Commonwealth.

A resolution for the final adjournment of the Legislature.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled.

An act to authorize the county courts of Hardin and Knox counties to appoint additional constables.

An act to change the time of holding the county courts in certain counties.

An act for the benefit of Andrew Woodley—and

An act concerning election precincts in certain counties,

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

On motion of Mr Guthrie:

*Resolved*, That leave be given to bring in a bill for the benefit of mechanics in the city of Louisville; and that Messrs Guthrie, Churchill and Robb be appointed a committee to prepare and bring in the same.

Mr Simpson Stout, a member returned to serve in this house, from the county of Daviess, appeared, produced a certificate of his election, and of his having taken the several oaths required by the constitution of the United States, and the constitution and laws of this state, and took his seat.

Mr J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to provide for completing the road from Beaver Iron Works, in Bath county, by way of West Liberty to Louisa, reported the same with an amendment.

Which being twice read, was concurred in. The said bill having been further amended, was ordered to be engrossed and read a third time.

Mr Churchill, from the select committee to whom was referred a bill to alter the mode of summoning jurors, reported the same with amendments.

Which being twice read, were concurred in.

*Ordered*, That the said bill be recommitted to a committee of the whole house, for the 29th instant.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr Guthrie, from the committee for courts of justice—1. A bill to prevent the escape of slaves from this Commonwealth, and to prevent free negroes and slaves from using ferry boats or other water craft.

2. A bill to prevent free negroes, mulattoes and slaves, from selling spirituous and other liquors.

By Mr J. T. Morehead, from the committee on internal improvement—3. A bill to provide for removing the obstructions to the navigation of Little Barren river.

By Mr Ward—4. A bill to repeal an act entitled, an act to amend the law in relation to opening and repairing the public roads in certain counties.

By Mr S. Williams—5. A bill to improve the navigation of the Big South Fork of Cumberland river, and for other purposes.

By Mr Calhoon—6. A bill to authorize persons prosecuted for felony, in the county of Hancock, to be confined in the jail of Breckenridge.

By Mr James—7. A bill to amend an act entitled, an act for the benefit of poor widows.

By Mr Patton—8. A bill to authorize the county court of Christian to open a road from Hopkinsville to Edward Woolridge's coal banks, in said county—and

By Mr Burns—9. A bill to provide for building a bridge across Big Bear creek, in Lawrence county.

Which bills were severally received, and read the first time, and ordered to be read a second time.

*Ordered*, That the public printers forthwith print one hundred and fifty copies of the second bill, for the use of the members of this house.

And thereupon, the rule of the house, constitutional provision and second reading of the first, fifth, sixth, seventh, eighth and ninth bills having been dispensed with; the first, sixth and eighth were severally ordered to be engrossed and read a third time; the fifth and ninth were committed to the committee on internal improvement; and the seventh to the committee of claims.

And thereupon, the rule of the house, constitutional provision and third reading of the sixth and eighth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

Mr Phelps moved to take up, for immediate consideration, a joint resolution offered by him, for employing counsel to defend the constitutionality of the seven years' limitation law before the supreme court of the United States.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Phelps and Mize, were as follows:

YEAS—Messrs Anderson, Barlow, Beall, Butler, Burns, Cassidy, Chiles, Chowning, Churchill, Colglazer, Colyer, Copeland, Dickson, Gaines, Grigsby, Guthrie, Hardy, Harris, Haynes, Henderson, Hickman, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, McAfee, Mize, Norvell, Patterson, Patrick, Patton, Phelps, Pierce, Preston, Robb, Roberts, Rudd, Sisk, Smith, Stotts, Stout, Strother, Thomas, Tompkins, Vallandigham, Ward, D. White, Whittington, W. J. Williams and Wortham—52.

NAYS—Messrs. C. Allan, Baker, Calhoon, Chambers, Curd, Dawson, Ewing, Fowler, Hayes, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, Murray, Ray, Rodes, Shanks, Sprigg, Stewart, Tomlinson, True, Turner, A. S. White, G. W. Williams and S. Williams—27.

The hour of 12 o'clock, M. having arrived, the Speaker, according to the rule of the house, announced the orders of the day.

The amendments proposed by the Senate to bills which originated in this house, of the following titles, were twice read and concurred in, viz:

1. An act to authorize the Board of Internal Improvement for Shelby county to erect a toll gate.
2. An act to change the time of holding the Simpson and Todd circuit courts, and for other purposes.

*Ordered*, That the clerk inform the Senate thereof.

The following engrossed bills were severally read a third time, viz:

1. An act to authorize John Gose to change a part of the state road in Morgan county.
2. An act to incorporate a Turnpike road from Louisville to Bardstown, and on to Springfield, and to Lebanon.

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The following bills from the Senate, were severally read a second time:

1. An act for the benefit of John Staton.
2. An act repealing all laws allowing licences to billiard table keepers, and for other purposes.
3. An act to amend the several laws against unlawful gaming —and
4. An act to amend an act, to establish an election precinct in Green county, approved December the sixteenth, eighteen hundred and twenty-nine.

The first and second were severally ordered to be read a third time to-morrow; the third was committed to the committee for courts of justice; and the fourth, (having been amended,) to a select committee of Messrs Hardy, Jackson and Vallandigham.

Resolutions from the Senate, concerning a road from Jonesborough in Tennessee, to the mouth of Shelby's creek, on Big Sandy river, were twice read and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The Speaker laid before the house a report from the commissioners, appointed to superintend the rebuilding of the state house, which was read as follows:

Frankfort, December 28, 1830.

SIR:—The undersigned commissioners, appointed by an act of the General Assembly, to superintend the rebuilding the capitol, have the pleasure of announcing to the Legislature the completion of the work, so far as they deem their agency necessary; and they now have the honor of submitting herewith a statement of the receipts and disbursements for that object, up to the present day, leaving a balance in their hands of thirty cents to be accounted for.

They have collected the greater part, if not all the outstanding bills, for work done and materials furnished for the building, and as near as can be estimated, there remains (exclusive of the sum due for desks furnished the Senate chamber) a balance due to individuals, amounting to about seven thousand dollars, Commonwealth notes, which your commissioners have no means of discharging.

The estimate made out and presented at the last session of the Legislature of the amount necessary for the completion of the building, was, like all similar estimates, hypothetical, and in this instance proved to be insufficient, the reason of which may require some explanation.

In the progress of the work on the portico, it was discovered that a considerable error had been made in estimating the quantity of stone work necessary for its completion; also, that the foundation wall on which the columns rest was insufficient to support the immense weight of the superstructure. To correct these deficiencies added largely to that expendi-

ture in that branch of the work. It was also found, upon adjusting the accounts of the plasterer, that the ornamental plastering was much more expensive than had been estimated. Considerable expense was also incurred in finishing the room designated for the use of the Federal court.—The Marshal of the Kentucky District gave assurances that the sum thus expended should be refunded; but on application to him for payment, he now states that he has no funds, nor can we say that the amount will be refunded at any time.

It will also be recollect that by a resolution of the Senate, at their last session, the commissioners were instructed to make important alterations in the Senate Chamber, and to procure costly furniture for the same, the expenses of which were not included in the estimate previously submitted, nor were any funds necessary to defray the expense thus to be incurred placed under the control of the commissioners.

The individuals to whom money is yet due for materials furnished, and for work done on the building, are pressing the commissioners for payment, and, as before stated, they have not the means of discharging those debts. They, therefore, respectfully ask an appropriation of seven thousand dollars for that purpose, which they confidently believe will be sufficient to meet all outstanding demands authorized by the commissioners.

They also respectfully ask the appointment of a committee to examine their accounts, receive the books, papers and vouchers, and that on being fully satisfied that the duties assigned to the commissioners have been properly performed, they be directed to deliver up, to be cancelled, the obligations executed by them individually, for the faithful discharge of the trust confided to them, and now on file in the office of the Secretary of State.

In closing this communication, the undersigned cannot forbear to remark, that in the discharge of the important duties devolved upon them by the Legislature, they have invariably adopted those measures and pursued that course which, in their judgment, were most conducive to the permanent interests and respectability of the state, and they confidently hope and trust that the important work confided to their care and superintendence, and to the execution of which they have for four years devoted much time and great personal attention, has been completed so satisfactorily, as fully to meet public expectation and the views of the Legislature of our great and happy state.

We have the honor to be, respectfully,

J. BROWN,

J. HARVIE,

JAMES SHANNON,

P. DUDLEY.

THE HON. JOHN J. CRITTENDEN,

*Speaker of the House of Representatives.*

[DEC. 26.

Commissioners for rebuilding the state capitol, in account with the State of Kentucky.

To balance on hand,	\$7002 53
To warrant on the treasurer,	12,500 00
	<hr/>
	\$19,502 53
To balance,	<hr/> 34 <hr/>
By disbursements made since last settlement,	\$19,502 19
By Balance,	84
	<hr/> <hr/> \$19,502 53

P. DUDLEY,  
*Chairman Commissioners rebuilding Capitol.*

*Ordered,* That the said report be committed to the committee of claims.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time:

1. An act for the benefit of the heirs of Elizabeth Geddings.
2. An act for the benefit of the heirs of William Ricks.
3. An act to extend the terms of the Nelson circuit court and to alter the terms of the Washington circuit court, and for other purposes.
4. An act for the benefit of Joshua Cates.
5. An act authorizing the Frankfort Argus to publish advertisements—and
6. An act for the benefit of Jacob Ward.

And thereupon, the rule of the house, constitutional provision and second reading of the first, third, fourth, fifth and sixth bills having been dispensed with; the first was committed to a select committee of Messrs J. T. Morehead, Hardy and Preston; the third and fifth, (the third being amended,) were ordered to be read a third time; the fourth was committed to the committee for courts of justice; and the sixth, to a select committee of Messrs G. W. Williams, E. L. Johnson and Rodes.

And thereupon the rule of the house, constitutional provision and third reading of the third and fifth bills having been dispensed with:

*Resolved,* That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered,* That the clerk inform the Senate thereof, and request their concurrence in the amendment proposed to the third bill.

The following bills were severally read a second time:

1. A bill more effectually to prevent the importation of slaves into this commonwealth, as merchandize—and

2. A bill to repeal an act entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools.

The first was committed to a committee of the whole house for the 30th instant, and the second to the committee of education.

And then the House adjourned.

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*WEDNESDAY, DECEMBER 29, 1830.*

1. Mr Curd presented the petition of the committee of John Atchison, (a lunatic,) praying that a law may pass authorizing them to cancel a contract made by said Atchison with Richard Downing for the purchase of a tract of land.

2. Mr Gaines presented the report of the commissioners appointed under an act of Assembly to view the road from Georgetown to Covington.

3. Mr Grundy presented the petition of sundry citizens of Washington county, praying the establishment of an election precinct in said county.

4. Mr Ewing presented the remonstrance of sundry citizens Graves county, against the removal of the seat of justice of Hickman county.

Which petitions were severally received, the reading thereof dispensed with, and referred: the first, to the committee for courts of justice; the second, to the committee on internal improvement; the third, to the committee of propositions and grievances; and the fourth was laid on the table.

Mr Love, from the committee of claims, to whom was referred a bill concerning the Lunatic Asylum, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time on this day; and having been engrossed was then read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee for courts of justice have, agreeable to order, had under consideration several petitions to them referred, and have come to the following resolutions:

*Resolved*, That the petition of the administrator of Greenberry Deathridge, to authorize the sale of certain real estate, belonging to the decedant, be rejected.

*Resolved*, That the petition of the officers of the Jefferson circuit court, and of the grand jury of said court, praying that the salary of the judge and commonwealth's attorney of said court be increased, be rejected.

*Resolved*, That the petition of Masterson Ogden, a security of B. R. Pollard, who was a deputy of Lawrence Gordon, sheriff of Henry county, praying the Legislature to refund certain moneys collected from him as the security of Pollard, by the said Gordon, be rejected.

Which being twice read, the first and second resolutions were concurred in, and the third was recommitted to the committee of claims.

Mr. Guthrie, from the same committee, made the following report:

The committee for courts of justice have, agreeable to order, had under consideration, the petition of Benjamin Stith, Warden Pope, and the heirs of Achilles Sneed and others, praying that the Legislature release any title the Commonwealth may have acquired to sixty thousand acres of land, part of a grant of seventy-five thousand acres, patented to William Bell, who conveyed to Robert Morris, who conveyed in trust to Humphrey Marshall, who pretended to release sixty thousand acres thereof to the Commonwealth, to avoid the payment of taxes thereon, and which the petitioners allege has passed to them, or some of them by subsequent conveyances.

The committee are of opinion that no title passed by the pretended release from Marshall to the Commonwealth, because the paper is without seal, and because such a release would have been a violation of the trust. They are of opinion that no legislation is required on the subject, and pray to be discharged from the further consideration of the petition.

Which being read, was concurred in.

Mr. Guthrie, from the same committee, to whom was referred the amendment proposed by the Senate to a bill which originated in this house, entitled, an act for the benefit of Lucy and John Hackley, reported the same without amendment.

The amendments of the Senate were then concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

1. An act to divorce Elizabeth Fannan from her husband, Joseph Fannan.
2. An act for the benefit of James Herrod.

3. An act to amend an act entitled, "an act to organize two fire companies in the town of Lexington, and for other purposes."

4. An act to amend an act entitled, an act for the benefit of the surveyor of Hopkins county.

5. An act to change the time of holding certain circuit courts —with an amendment to the latter bill.

And the passage of bills which originated in the Senate of the following titles:

1. An act to extend the law concerning private passways.

2. An act to alter the state road from Crab Orchard to Stanford.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill for the benefit of Thomas Triplett and Moses B. Morrison, reported the same without amendment.

And the question being taken on engrossing the said bill, and reading it a third time, it was decided in the negative, and so the said bill was rejected.

Mr. Guthrie, from the same committee, to whom was referred a bill to amend an act entitled, "an act to amend the laws in relation to absent defendants, approved January 25th, 1827," reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

Mr. J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to improve Muldrow's hill, on the road leading from Lexington to Nashville, reported the same with an amendment, in lieu of the original bill.

Which being twice read, was concurred in. And the said bill, as amended, ordered to be engrossed and read a third time.

Mr. Butler, from the committee on education, made the following report:

The committee on education have, according to order, had under consideration, a bill to repeal an act entitled, "an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools," and have come to the following resolution thereon.

*Resolved*, That the said bill ought not to pass.

Which being twice read, was concurred in; and so the said bill was rejected.

Mr. G. W. Williams, from the select committee to whom was referred a bill from the Senate entitled, an act for the benefit of Jacob Ward, reported the same with amendments.

Which being twice read, were concurred in. And the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with:

*Resolved*, That the said bill, as amended, do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in said amendments.

Mr Dyer, from the select committee, to whom was referred a bill for the benefit of Stephen Richardson and Jackson D. Jameson, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time on this day.

The said bill having been engrossed was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be amended by adding thereto the words, "and John Emberson Condict."

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Jackson, from the select committee, to whom was referred a bill from the Senate entitled, an act to amend an act to establish an election precinct in Green county, approved December 16th, 1829, reported the same with amendments.

Which being twice read, were concurred in.

*Ordered*, That the said bill, with the amendments, be committed to a select committee of Messrs Chambers, Marshall and Rodes.

The resolution of the committee of propositions and grievances, on the petition of sundry citizens of Ohio county, praying to be added to the county of Breckenridge, was taken up, twice read and concurred in.

*Ordered*, That said committee prepare and bring in a bill pursuant to said resolution.

Mr Chambers moved the following resolution:

*Resolved*, That the committee on internal improvement be instructed to enquire into the expediency of setting apart and appropriating the funds of the Commonwealth, now invested in the stock of the Bank of Kentucky, and a portion of the stock of the Bank of the Commonwealth, for the construction of works of internal improvement; and that the said committee be further instructed to enquire into the expediency of authorizing a loan of money, to be negotiated on behalf of this commonwealth, in anticipation of the funds aforesaid, and in aid of such works of internal improvement, as appropriations may be made for by law; and that they report by bill or otherwise.

Which being twice read, was adopted.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr McAfee, from the committee of propositions and grievances—1. A bill authorizing Thomas Taylor and the heirs of George Shrader, deceased, to erect a mill-dam across Rough creek, in Ohio county.

2. A bill for the benefit of Francis McMurdie.

By Mr Guthrie, from the select committee appointed for that purpose—3. A bill for the benefit of the mechanics of the city of Louisville.

By Mr Grigsby—4. A bill to amend an act entitled, “an act for the benefit of Elizabeth Griffin, and for other purposes, approved January 23, 1818.”

By Mr Whittington—5. A bill to authorize the qualified voters of the county of Woodford, to vote for, or against an act entitled, “an act to amend the law in relation to opening and repairing the public roads in certain counties, approved January 29th, 1830,” so far as the same relates to the county of Woodford.

By Mr Phelps—6. A bill to amend the several laws establishing and regulating the town of Covington.

By Mr Barlow—7. A bill to prevent persons from exhibiting live animals, or other curiosities, without license.

By Mr Jackson—8. A bill to amend an act entitled, “an act to change the boundary line between Rockcastle and Laurel counties, approved January 27th, 1830.”

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the said bills having been dispensed with; the first, fourth, fifth and sixth, were severally ordered to be engrossed and read a third time; the second was committed to a select committee of Messrs McAfee, E. L. Johnson, A. Johnson and Guthrie; the third, to the committee for courts of justice; the seventh to the committee of ways and means; and the eighth, to the committee of propositions and grievances.

And thereupon, the rule of the house, constitutional provision and third reading of the first, fourth, fifth and sixth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the Commonwealth—Mr McAfee in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr McAfee reported that the committee had, according to order, had under consideration “a bill to repeal all laws allowing pay for

executed slaves," and had gone through the same with an amendment, which he handed in at the clerk's table.

It was then moved and seconded, to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Ewing and Ward, were as follows:

YEAS—Mr. SPEAKER, Messrs. C. Allan, B. Allen, Barrett, Beall, Butler, Calhoon, Chambers, Chiles, Churchill, Colyer, Crutchfield, Curd, Dawson, Dickson, Dyer, Fields, Gaines, Gass, Girton, Grundy, Guthrie, Hall, Harris, Heady, Helm, Hickman, Jackson, James, A. Johnson, E. L. Johnson, McAfee, McNary, J. K. Marshall, P. Morehead, Murray, Pierce, Preston, Ray, Rodes, Robb, Roberts, Shanks, Spalding, Sprigg, Stewart, Stotts, Strother, Stout, Tomlinson, Tompkins, True, Turner, Vallandigham, Whittington and G. W. Williams—56.

NAYS—Messrs. Baker, Barlow, Burns, Cassidy, Chowning, Colglazier, Copeland, Ewing, Fowler, Grigsby, Hardy, Haynes, Henderson, Hobbs, Hunton, Lackey, Love, W. N. Marshall, Mize, J. T. Morehead, Norvell, Patterson, Patrick, Patton, Phelps, Rudd, Sisk, Smith, Thomas, Ward, D. White, S. Williams, W. J. Williams and Wortham—34.

And then the House adjourned.

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THURSDAY, DECEMBER 30, 1830.

1. The Speaker laid before the house the report of the Trustees of the Cumberland Hospital—which was received and referred to a select committee of Messrs Fowler, Haynes, New and Ewing.

2. Mr Tomlinson presented the petition of Abraham B. Stagg and John B. Cozine, the committee of Mary and Margaret Banta, idiots, and heirs of Henry Banta, praying that a law may pass, authorizing them to sell two several tracts of land, belonging to said idiots.

3. Mr Lackey presented the petition of Samuel K. Friend, praying the passage of a law, authorizing the administrator of Solomon Derosit to convey to him a lot purchased by him of said Derosit in his life time.

5. Messrs Hunton and Tompkins presented the petitions of sundry citizens of Lincoln and Mercer counties, praying that a law may pass, to prevent the importation of slaves into this Commonwealth, as merchandize.

5. Mr Heady presented the petition of John Holsclaw, praying that a law may pass, to curtail the boundaries of the town of Mount Washington, so as to exclude his property.

6. Mr Haynes presented the petition of sundry citizens of Caldwell county, praying that a law may pass authorizing the county court of said county, to levy a tax upon the citizens thereof to aid in the improvement of the road from Princeton to Eddyville.

7. Mr Chiles presented the petition of the heirs of Larkin Rice, deceased, praying that a law may pass authorizing and directing the Register of the Land office to issue to said heirs a patent for a tract of land in Muhlenburg county.

8. Mr Shanks presented the petition of sundry citizens of Warren county, praying an appropriation to aid in the improvement of the road from Cloverport to Bowlinggreen; and that the county courts of the counties through which said road runs, may be authorized to allot hands and overseers to work on said road.

9. Mr Jackson presented the petition of sundry citizens of Whitley county, praying that an additional justice of the peace may be allowed to said county.

10. Also, the petition of sundry citizens of Whitley county, praying that a law may pass, authorizing the Register of the Land office to issue five hundred dollars worth of land warrants, to be appropriated to the improvement of a road in said county.

Which petitions were severally received, the reading dispensed with: the second, third and seventh, were referred to the committee for courts of justice; the fifth, to the committee of propositions and grievances; the eighth and tenth to the committee on internal improvement; the ninth, to a select committee of Messrs Jackson, S. Williams, Love and McNary; the seventh to a select committee of Messrs Haynes, Fowler and Ewing; and the fourth was laid on the table.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act to incorporate a Turnpike road Company from Louisville to Bardstown, and on to Springfield, and to Lebanon.

An act for the benefit of the sheriff of Boone county.

An act to authorize the county court of Christian county to open a road from Hopkinsville to Edward Wooldridge's coal banks, in said county.

An act for the benefit of Thomas Griffey.

An act for the benefit of the sheriff of Edmondson county.

An act to authorize persons prosecuted for felony in the county of Hancock to be confined in the jail of Breckenridge.

An act to authorize certain county courts to permit gates to be erected across certain roads.

An act to appropriate some of the vacant lands of Casey county to improve the road leading from the town of Liberty to where the said road crosses the Rolling Fork, near Timothy Goode's, in a direction to Springfield, and for other purposes.

Their concurrence in the amendment made by the House of Representatives, to a bill which originated in the Senate, entitled, an act to extend the terms of the Nelson circuit court, and to alter the terms of the Washington circuit court, and for other purposes.

And their disagreement to a bill which originated in this house, entitled, an act for the benefit of James Merry.

Mr Barlow, from the joint committee of enrolments, reported, that the committee had examined sundry enrolled resolutions and bills of the following titles, and had found the same truly enrolled, viz:

A joint resolution to appoint a committee of conference, upon the power of the Legislature to pass laws authorizing the sale of the estate of infants and *femes covert*.

Resolutions, concerning a road from Jonesborough in Tennessee, to the mouth of Shelby's creek, on Big Sandy river.

A resolution to appoint a committee to examine the books and accounts of the several branches of the Bank of the Commonwealth.

An act to amend an act authorizing certain county courts to appoint reviewers to view a way for a road from Thomas Kennedy's, in Garrard county, to the Green river salt works.

An act to alter the time of holding the county court of Barren county.

An act for the benefit of William Winslow, clerk of the Gallatin circuit court, and of the clerk of the Anderson circuit and county courts.

An act authorizing the Frankfort Argus to publish advertisements.

An act to extend the terms of the Nelson circuit court and to alter the terms of the Washington circuit court, and for other purposes.

An act to authorize David and John Trimble to erect a dam across Little Sandy river, at the blue ripple.

An act to authorize Silas M. Williams to erect a dam and mill on Big Barren river.

An act for the benefit of Archibald Frizzel, coroner of Lewis county.

An act to change the time of holding the Simpson, Todd and Lewis circuit courts, and for other purposes.

An act to authorize the Board of Internal Improvement for Shelby county to erect a toll gate.

An act to amend an act to provide for the erection two bridges across Rockcastle river, approved January 29, 1830.

An act allowing additional justices of the peace to certain counties.

An act to incorporate the trustees of Liberty meeting house, in Logan county.

An act to amend the duelling law.

An act to amend the act regulating the appropriation of fines and forfeitures, so far as regards the counties of Christian, Madison, Russell and Estill.

An act to amend an act entitled, an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness state road.

An act for the benefit of Morton A. Rucker, late Sheriff of Caldwell county.

An act for the benefit of James Morse.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

Mr McAfee, from the committee of propositions and grievances made the following report:

The committee of propositions and grievances, have had under their consideration a petition from sundry citizens of Livingston county, praying that an election precinct be formed in said county, and have come to the following decision:

*Resolved*, That said petition is reasonable.

Also, the petition of sundry citizens of Wayne, Cumberland and Russell counties, praying for a new county out of parts of said counties; also, a remonstrance from sundry citizens of Wayne county against being included within the bounds of said proposed county, and have come to the following decision.

*Resolved*, That said petition is reasonable.

Which being twice read, (the second having been amended by striking out the words "is reasonable" and inserting in lieu thereof the words "be rejected,") were concurred in.

*Ordered*, That the said committee prepare and bring in a bill pursuant to the first resolution.

Mr McAfee, from the same committee, to whom was referred a bill to amend an act entitled, an act to change the boundary line between Rockcastle and Laurel counties, approved January 27th, 1830, reported the same with an amendment.

It was then moved and seconded to postpone the further consideration of said bill and amendment, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Colyer and Jackson, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Anderson, Beall, Burns, Calhoon, Chiles, Colyer, Curd, Dawson, Ewing, Fowler, Girton, Grundy, Harris, Hayes, Hickman, Lackey, J. T. Morehead, New, Norvell, Pierce, Ray, Russell, Shanks, Smith, Spalding, Strother, True, D. White, G. W. Williams and W. J. Williams—33.

NAYS—Messrs. Baker, Barlow, Barrett, Butler, Cassidy, Chambers, Churchill, Colglazer, Copeland, Crutchfield, Dyer, Fields, Gaines, Gass, Grigsby, Guthrie, Hall, Hardy, Haynes, Heady, Helm, Henderson, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Love, McAfee, McNary, J. K. Marshall, W. N. Marshall, Mize, P. Morehead, Murray, Patterson, Patrick, Patton, Phelps, Preston, Robb, Roberts, Rudd, Sisk, Stewart, Stotts, Stout, Thomas, Tomlinson, Tompkins, Vallandigham, Ward, Whittington, S. Williams, Wortham and Yantis—57.

The said amendment was then concurred in; and the bill, as amended, ordered to be engrossed and read a third time on this day.

The said bill having been engrossed was then read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Love, from the committee of claims, to whom was referred a bill to amend an act entitled, an act for the benefit of poor widows; also, a bill for the benefit of Alexander R. Macey, reported the former without, and the latter with, an amendment.

Which being twice read, was concurred in; and the said bills ordered to be engrossed and read a third time.

And thereupon the former bill having been engrossed, was then read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr Love, from the same committee, made the following report, viz:

The committee of claims have had under consideration the petition of B. C. Crow and James Harvey, praying an appropriation of \$4 50 each, for guarding a criminal, whilst on trial, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Also, the petition of James T. Martin, praying an appropriation of \$9 75, for services rendered in removing a criminal from jail to the hospital, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Also, the petition of A. Wickersham, praying to be refunded the sum of \$125, paid as security for S. Jenkins, who contracted to do certain work on the state house, and who failed in his contract, and have come to the following resolution:

*Resolved*, That the said petition be rejected.

Which being twice read, (the second resolution having been amended, by striking out the words "be rejected" and inserting in lieu thereof the words "is reasonable,") was concurred in.

*Ordered*, That the said committee prepare and bring in a bill pursuant to the second resolution.

The following bills were reported from the committee of claims, severally read the first time, and ordered to be read a second time, viz:

1. A bill for the benefit of Elizabeth Barnes.
2. A bill for the benefit of Robert S. Brashears.
3. A bill for the benefit of James F. Robinson and others—and

4. A bill for the benefit of the Louisville Hospital.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first, second and third bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, on the state of the Commonwealth—Mr Yantis in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported that the committee had, according to order, had under consideration, a bill to prohibit the importation of slaves into this commonwealth, as merchandize—and had made some progress therein, but not having time to go through the same, had instructed him to ask for leave to sit again

Which being granted:

The House then adjourned.

FRIDAY, DECEMBER 31, 1830.

On motion—

*Ordered*, That Messrs Hardy, Preston, Murray, Barlow and Patton be added to the committee to whom was referred the remonstrance of sundry citizens of this Commonwealth, against the establishment of the line between this state and the state of Tennessee, as lately run and marked.

1. Mr Yantis presented the petition of the administrator and administratix of John Maddox, praying that a law may pass, authorizing them to cancel a contract made by said Maddox, with William Huff, for a house and lot in the town of Stanford.

2. Mr Norvell presented the petition of Margaret Thomas, praying a divorce from her husband, Ely R. Thomas.

3. Mr Calhoun presented the petition of sundry citizens of Grayson county, praying an appropriation to aid in opening and keeping in repair the road leading from Cloverport to Bowling-green.

Which petitions were severally received, the reading thereof dispensed with and referred; the first, to the committee for courts of justice; the second, to the committee of religion; and the third, to the committee on internal improvement.

The following bills were reported from the several committees appointed to prepare and bring in the same:

By Mr McAfee, from the committee of propositions and grievances—1. A bill to add part of the county of Ohio to Breckinridge.

By Mr. Yantis, from the committee of privileges and elections—2. A bill to change the place of voting in the upper precinct in Monroe county.

Which bills were severally received, and read the first time, and ordered to be read a second-time.

And thereupon, the rule of the house, constitutional provision and second and third readings of said bills, having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

On motion—

*Ordered*, That the committee of the whole house be discharged from the further consideration of a bill to alter the mode of summoning jurors, and that the same be placed in the orders of the day.

A message was received from the Senate, announcing the passage of bills, which originated in this house, of the following titles:

An act to amend the several laws establishing and regulating the town of Covington.

An act to authorize John Gose to change a part of the state road in Morgan county—with an amendment to the latter bill.

The passage of bills of the following titles:

An act to establish an election precinct in the county of Henderson and in the county of Hopkins.

An act to authorize the editor of the Gleaner and Cynthiana Republican to publish advertisements.

An act for the relief of the sheriff of Gallatin county.

And their concurrence in the amendments proposed by this house, to a bill from the Senate, entitled, an act for the benefit of Jacob Ward.

Mr. Guthrie, from the committee for courts of justice, to whom was referred "a bill to restore the ferry privileges to the town of Columbus," reported the same without amendment.

Mr James then moved to amend said bill, by striking out the whole thereof, after the enacting clause, and in lieu thereof inserting the following, viz:

That the Trustees of the town of Columbus shall be, and they are hereby vested with full power, a majority of them concurring, to lease out any ferry or ferries which they may think necessary, for any term not exceeding five years, and shall apply the proceeds to the improvement of said town: *Provided however*, That nothing shall be so construed in this act as to effect any ferry which has heretofore been established in said town.

And the question being taken on adopting the said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs James and Dawson, were as follows:

YEAS—Messrs. Barlow, Burns, Cassidy, Chiles, Dawson, Grundy, Hayes, Henderson, James, Lackey, McAfee, McNary, Mize, Murray, Norvell, Patterson, Phelps, Sisk, Sprigg, Stotts, Tomlinson, Ward and Wortham—23.

NAYS—Messrs. C. Allan, B. Allen, Anderson, Barrett, Beall, Brown, Butler, Calhoon, Chambers, Chowning, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dyer, Ewing, Fields, Fowler, Gaines, Gass, Girton, Grigsby, Guthrie, Hall, Harris, Haynes, Heady, Helm, Hickman, Hobbs, Hunton, Jackson, A. Johnson, E. L. Johnson, Love, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Pierce, Ray, Rodes, Robb, Roberts, Rudd, Russell, Shanks, Smith, Speedsmith, Spal-

ding, Stout, Strother, Thomas, Tompkins, True, Turner, Vallandigham, A. S. White, D. White, Whittington, G. W. Williams, S. Williams, W. J. Williams and Yantis—67.

The said bill was then ordered to be engrossed and read a third time to-morrow.

The House then, according to the standing order of the day, resolved itself into a committee of the whole house, on the state of the Commonwealth—Mr Yantis in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr. Yantis reported that the committee had, according to order, had under consideration, a bill to prohibit the importation of slaves into this commonwealth, as merchandise—and had gone through the same, with sundry amendments, which he handed in at the clerks table, and which being severally twice read, were concurred in.

It was then moved and seconded to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Burns and Yantis, were as follows, viz:

YEAS—Messrs. Anderson, Baker, Barlow, Barrett, Beall, Calhoon, Chambers, Chiles, Chowning, Churchill, Colyer, Dawson, Dickson, Dyer, Fields, Girfon, Grigsby, Hall, Harris, Heady, Helm, Hickman, James, McNary, J. K. Marshall, W. N. Marshall, Mize, New, Norvell, Patterson, Pierce, Preston, Ray, Robb, Roberts, Sisk, Spalding, Stewart, Stotts, Stout, True, Valandigham, Ward, Whittington, S. Williams and W. J. Williams—46.

NAYS—Mr. SPEAKER, Messrs. C. Allan, B. Allen, Brown, Butler, Burns, Cassidy, Colglazer, Copeland, Crutchfield, Curd, Ewing; Fowler, Gaines, Gass, Grundy, Guthrie, Hardy, Hayes, Haynes, Henderson, Hobbs, Hunton, Jackson, A. Johnson, E. L. Johnson, Lackey, McAfee, J. T. Morehead, P. Morehead, Murray, Patrick, Phelps, Rodes, Rudd, Russell, Shanks, Smith, Sprigg, Strother, Thomas, Tomlinson, Tompkins, Turner, A. S. White, D. White, G. W. Williams, Wortham and Yantis—49.

The second section of said bill was then read as follows, viz:

Sec. 2. *Be it further enacted*, That from and after the said first day of June, it shall not be lawful for any person or persons to import into this Commonwealth, any slave or slaves, except emigrants to the state, bringing their slaves with them, for their own use, and not for merchandise, and citizens of this state, claiming slaves in another state, by devise, descent, or marriage; in all which cases it shall be lawful for any such persons to import slaves, for their own use, and not as merchandise.

Wr. G. W. Williams then moved to amend said section, by inserting after the word "*state*," in the fourth line, the words "*or others.*"

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs G. W. Williams and Burns, were as follows, viz:

YEAS—Messrs B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Chambers, Chiles, Colyer, Copeland, Dawson, Dickson, Dyer, Gass, Girton, Grigsby, Hall, Hardy, Harris, Heady, Helm, Hickman, Jackson, James, A. Johnson, E. L. Johnson, Lackey, McNary, W. N. Marshall, Mize, Norvell, Patterson, Preston, Ray, Robb, Sisk, Spalding, Ward, G. W. Williams and S. Williams—40.

NAYS—MR. SPEAKER, Messrs. C. Allan, Brown, Butler, Burns, Calhoon, Cassidy, Chowning, Churchill, Colglazer, Crutchfield, Curd, Ewing, Fields, Fowler, Gaines, Grundy, Guthrie, Hayes, Haynes, Henderson, Hobbs, Hunton, McAfee, J. K. Marshall, J. T. Morehead, P. Morehead, Murray, New, Patrick, Phelps, Pierce, Rodes, Roberts, Rudd, Russell, Shanks, Smith, Sprigg, Stewart, Stotts, Stout, Strother, Thomas, Tomlinson, Tompkins, True, Turner, Vallandigham, A. S. White, D. White, Whittington, W. J. Williams, Wortham and Yantis—55.

A further amendment having been moved to said bill:

The House adjourned.

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SATURDAY, JANUARY 1, 1831.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act to prevent slaves being confined in the public jails of this Commonwealth.

An act to incorporate the Literary Institution of St. Rose, in Washington county.

An act to allow additional justices of the peace to certain counties.

An act to authorize the stockholders of the Frankfort Bank to elect an agent to close the concerns of said bank, and for other purposes.

The Speaker laid before the house the petition of sundry citizens of this Commonwealth, praying the passage of a law to prohibit the further importation of slaves into this state.

Which was received and laid on the table.

Mr Thomas, from the select committee, appointed for the purpose of bringing in a bill for the benefit of the securities of

Edward Stockton, late Casher of the Mountsterling Commonwealth's branch bank, reported the following joint resolution, viz:

*Resolved, by the Senate and House of Representatives of the Commonwealth of Kentucky, That the President and Directors of the Bank of the Commonwealth of Kentucky, be, and they are hereby, authorized, to settle and adjust with the securities of Edward Stockton, late Cashier of the Mountsterling branch of said bank, the defalcation of said Stockton, on just principles; by ascertaining the specie value of the Commonwealth Bank notes, at the time of conversion, (which the said Stockton is supposed to have used,) calculating legal interest on such value, from the period he failed to account for the same, up to the time of settlement with the officers of said bank; and they are hereby authorized to give said securities a reasonable time to pay the amount so ascertained, in specie, on receiving adequate security.*

Mr Ray read and laid on the table a joint resolution, directing a portion of the notes of the Commonwealth's Bank to be cancelled by burning.

Mr Gaines moved to obtain leave to bring in a bill to increase the wages of the members of the General Assembly.

And the question being taken on granting leave to bring in said bill, it was decided in the negative, and so the said motion was disagreed to.

Leave was given to bring in the following bills:

On motion of Mr Turner—1. A bill to regulate the fees of certain officers of this Commonwealth, and for other purposes.

On motion of Mr S. Williams—2. A bill to authorize administrators to take charge of real estate.

On motion of Mr McAfee—3. A bill to provide for the improvement of the road leading from the forks of Benson, Franklin county, passing through Lawrenceburg, Salvisa, Harrodsburg, Danville and Stanford, to the Crab Orchard, in Lincoln county, and from Harrodsburg to Lebanon, in Washington county, passing through Perryville.

On motion of Mr Ray—4. A bill for the benefit of Tabitha Alford.

On motion of Mr Patton—5. A bill to repeal an act entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of a uniform system of public schools, so far as regards the counties of Christian Madison and Barren.

On motion of Mr Shanks—6. A bill to compel William Feland, late justice of the peace for Warren county, to surrender up his records and papers to Thomas S. Denton, justice of the peace in Barren county.

On motion of Mr Grundy—7. A bill to tax certain property in aid of the revenue of this Commonwealth—and

On motion of Mr B. Allen—8. A bill to amend the laws in relation to the fees of tobacco inspectors.

Messrs Turner, Rodes and Speedsmith were appointed a committee to prepare and bring in the first; Messrs S Williams, Thomas and Hayes, the second; Messrs McAfee, D. White, Spalding and Hunton, the third; Messrs Ray, McAfee and Hardy, the fourth; Messrs Patton, Speedsmith, Rodes, Phelps and Hardy, the fifth; Messrs Shanks, J. T. Morehead, Ewing, Hardy, Preston, Anderson and Barlow, the sixth; Messrs Grundy, Spalding, Hardy and Roberts, the seventh; and Messrs B. Allen, Field and Guthrie, the eighth.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Sprigg—1. A bill to give additional powers to the Trustees of the town of Shelbyville.

By Mr Colyer—2. A bill to authorize the overseer of the Crab Orchard and wilderness road to work on Water street, in the town of Mount Vernon.

By Mr McAfee—3. A bill providing for the improvement of the road leading from the forks of Benson, Franklin county, passing through Lawrenceburg, Salvisa, Harrodsburg, Danville and Stanford, to the Crab Orchard, in Lincoln county, and from Harrodsburg to Lebanon, in Washington county, passing through Perryville.

By Mr James—4. A bill to establish the town of Moscow, in the county of Hickman, and to incorporate a seminary of learning in said town, and for other purposes.

By Mr Hardy—5. A bill for the benefit of John C. Hall.

By Mr Phelps—6. A bill to incorporate the Kentucky and Ohio Bridge Company.

By Mr Murray—7. A bill appropriating some of the vacant lands in the district of country west of the Tennessee river, to the building of bridges in said district.

By Mr Helm—8. A bill to provide for the erection of a bridge across Nolin, where the road leading from Louisville to Nashville crosses the same.

By Mr Colyer—9. A bill concerning the Turnpike and Wilderness road, and the road leading to the Goose creek Salt works—and

By Mr Ray—10. A bill for the benenefit of Tabitha Alford.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bills having been dispensed with; the first was committed to a select committee of Messrs Sprigg,

Phelps and Butler; the second, fourth and tenth were severally ordered to be engrossed and read a third time; the third was committed to a select committee of Messrs McAfee, D. White, Spalding and Hunton; the fifth, to the committee of claims; the sixth, to a select committee of Messrs Phelps, Guthrie, James, Gaines and Vallandigham; the seventh, to the committee of ways and means; the eighth, to the committee on internal improvement; and the ninth, to a select committee of Messrs Turner, Colyer, Patrick, Love, Rodes and Jackson.

And thereupon, the rule of the house, constitutional provision and third reading of the second, fourth and tenth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate, and request their concurrence.

Mr Ewing, from the select committee, to whom was referred a bill to amend the several laws concerning the opening and changing the public roads, reported the same with an amendment.

Which being twice read was concurred in. And the said bill, as amended, ordered to be engrossed and read a third time.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor has approved sundry enrolled bills, which originated in this house, of the following titles:

Approved 29th December—

An act to authorize the county courts of Hardin and Knox counties to appoint additional constables, and for other purposes.

An act for the benefit of Andrew Woodley.

An act concerning election precincts in certain counties.

An act to change the time of holding county courts in certain counties, and for other purposes.

Approved 30th December—

An act to amend an act to provide for the erection two bridges across Rockcastle river, approved January 29, 1830.

An act allowing additional justices of the peace to certain counties.

An act to incorporate the trustees of Liberty meeting house, in Logan county.

An act to amend the duelling law.

An act to change the time of holding the Simpson, Todd and Lewis circuit courts, and for other purposes.

An act to authorize the Board of Internal Improvement for Shelby county to erect a toll gate.

An act to authorize David and John Trimble to erect a dam across Little Sandy river, at the blue ripple.

An act to authorize Silas M. Williams to erect a dam and mill on Big Barren river.

An act for the benefit of Archibald Frizzel, coroner of Lewis county.

An act to amend the act regulating the appropriation of fines and forfeitures, so far as regards the counties of Christian, Madison, Russell and Estill.

An act to amend an act entitled, an act for the improvement of the road from Mountsterling, by way of Irvine and Manchester, to intersect the wilderness state road.

An act for the benefit of Morton A. Rucker, late Sheriff of Caldwell county.

An act for the benefit of James Morse.

*Ordered*, That Mr Barlow inform the Senate thereof.

On motion—

*Ordered*, That a message be sent to the Senate, requesting the withdrawal of a bill from the Senate, which originated therein, entitled, an act for the benefit of the heirs of Elijah Warner, deceased, which was rejected by a vote of this house; and also, the withdrawal of a bill which passed this house, entitled, an act to reduce the number of justices of the peace in Madison county—and that the clerk carry the said message.

Mr Vallandigham, from the select committee, to whom was referred "a bill to add a part of the county of Gallatin to the county of Grant," reported the same with an amendment.

Which being twice read, was concurred in. The question was then taken on engrossing the said bill, as amended, and reading it a third time, which was decided in the negative, and so the said bill was rejected.

Mr. Ewing moved the following resolution, viz:

*Resolved by this House*, That the committee of ways and means be instructed to enquire into the policy and propriety of so changing the revenue laws as to increase the *ad valorem* tax upon slaves, so much as to furnish a fund sufficient to pay for slaves executed; and that they make report to this house.

Which being twice read, was adopted.

The yeas and nays being required on the adoption thereof, by Messrs Love and Ewing, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Barlow, Barrett, Beall, Brown, Burns, Cassidy, Chambers, Chiles, Colglazer, Colyer, Copeland, Dyer, Ewing, Fowler, Gass, Grigsby, Grundy, Hall, Harris, Hayes, Haynes, Henderson, Hickman, Hobbs, James, Lackey, Love, Mize, P. Morehead, Murray, Patterson, Patrick, Phelps, Preston, Ray,

Rodes, Smith, Speedsmith, Strother, Thomas, Vallandigham, Ward, D. White, G. W. Williams, S. Williams and Yantis—49.

NAYS—Messrs. B. Allen, Baker, Butler, Calhoon, Churchill, Curd, Dawson, Dickson, Fields, Gaines, Girton, Guthrie, Heady, Helm, Jackson, A. Johnson, E. L. Johnson, McAfee, McNary, J. K. Marshall, W. N. Marshall, J. T. Morehead, New, Norvell, Pierce, Rudd, Russell, Shanks, Sisk, Spalding, Sprigg, Stewart, Stotts, Tomlinson, Tompkins, True, Turner, A. S. White, Whittington, W. J. Williams, Wilson and Wortham—42.

A bill to change the time of holding the circuit courts in the fourth judicial district, was read a second time, and committed to the committee for courts of justice.

Mr Turner, from the select committee, to whom was referred an engrossed bill entitled, an act to amend the law concerning executors and administrators, reported the same with an amendment.

Which being twice read, was concurred in. The said bill was then ordered to be engrossed and read a third time on Monday next.

Mr Chambers, from the select committee to whom was referred a bill from the Senate, entitled, an act to amend an act, to establish an election precinct in Green county, approved December the sixteenth, eighteen hundred and twenty-nine, reported the same with an amendment.

Which being twice read, was concurred in. And the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the house and third reading of said bill having been dispensed with:

*Resolved*, That the said bill, as amended, do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the said amendments.

Mr Butler, from the select committee, to whom was referred a bill to give additional powers to the Trustees of Shelbyville, reported the same with an amendment.

And then the House adjourned.

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MONDAY, JANUARY, 3, 1831.

Mr Yantis offered the following resolution:

*Resolved by the House of Representatives*, That the committee of ways and means be instructed to enquire into the expediency of consolidating the Bank of Kentucky and the Bank of the Commonwealth, and placing the settlement of the affairs of both

banks in one set of officers; and that they report by bill or otherwise.

1. Mr Thomas presented the petition of Thomas Hoffman and others, citizens of Mountsterling, praying that a law may pass, authorizing the closing of an alley in said town.

2. Mr Shanks presented the petition of the Colonel and other officers of the 25th Regiment, Kentucky militia, praying that a law may pass, allowing to each officer of said regiment a copy of the militia law.

3. Mr Hall presented the petition of sundry citizens of Pendleton county, praying that a law may pass, extending to the said county the provisions of an act to amend the law in relation to opening and repairing the public roads in certain counties, approved January 29, 1829.

4. Mr Ward presented the petition of David and John Trimble, praying that the act of the county court of Greenup county, authorizing them to build a mill dam across Little Sandy river be ratified and confirmed.

5. Mr Brown presented the petition of sundry citizens of the counties of Owen and Gallatin, praying that a law may pass, authorizing a re-survey of the road from Owenton to Ghent.

6. Mr Russell presented the petition of McIlvain and Smith, praying that a law may pass, granting to them either in *fee simple*, or for a number of years, a piece or parcel of ground lying and being in South street, in the town of Carlisle.

Which petitions were severally received, the reading thereof dispensed with and referred; the first, to the committee of propositions and grievances; the second, to the committee of military affairs; the third, to the committee on internal improvement; the fourth, to a select committee of Messrs Ward, Thomas and Burns; the fifth, to a select committee of Messrs Brown, Strother and Burns; and the sixth, to a select committee of Messrs. Russell, G. W. Williams and Chiles.

A message was received from the Senate, announcing their disagreement to bills which originated in this house, of the following titles:

An act to authorize the qualified voters of the county of Woodford, to vote for, or against, an act entitled, an act to amend the law in relation to opening and repairing the public roads in certain counties, approved January 29th, 1830, so far as the same relates to the county of Woodford.

An act to amend an act for the benefit of poor widows.

The passage of bills which originated in this house of the following titles:

An act to amend the several acts incorporating the Louisville Turnpike Company—and

An act for the benefit of the heirs of James McCollom, deceased—with an amendment to the latter bill.

The adoption of a resolution, directing two rooms in the state house to be fitted up for a library.

And that the Senate had received official information that the Governor did, on the 30th ult. approve and sign sundry enrolled bills and resolutions, which originated in the Senate, of the following titles:

An act for the benefit of William Winslow, clerk of the Gallatin circuit court, and, for the benefit of the clerk of the Anderson circuit and county courts.

An act to alter the time of holding the county courts of Barren county.

An act to extend the terms of the Nelson circuit court and to alter the terms of the Washington circuit court, and for other purposes.

An act to authorize the Frankfort Argus to publish advertisements.

An act to amend an act authorizing certain county courts to appoint reviewers to view a way from Thomas Kennedy's, in Garrard county, to the Green river salt works.

A resolution to appoint a committee of conference, on the power of the Legislature to pass laws authorizing the sale of the real estate of infants and *femes covert*.

Resolutions, concerning a road from Jonesborough in Tennessee, to the mouth of Shelby's creek, on Big Sandy river.

Mr McAfee, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, have had under consideration the petitions of Lewis Snapp and John Holsclaw, praying to be released from the town tax of Mount Washington, or to be stricken from said town, and have come to the following decision:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr Guthrie, from the committee for courts of justice, to whom was referred a bill to change the time of holding the circuit courts in the fourth judicial district, and for other purposes, reported the same with an amendment.

Which being twice read, was concurred in. And the said bill, as amended, ordered to be engrossed and read a third time tomorrow.

Mr. Hardy, from the committee of religion, to whom was referred a bill from the Senate, entitled, an act for the benefit of Ann Eliza Nelson, reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass.

*Ordered*, That the clerk inform the Senate thereof.

Mr Hardy, from the same committee, made the following report:

The committee of religion have had under their consideration, the petition of Anthony Gale, praying to be divorced from his wife, Catharine Gale, and have come to a resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr C. Allan, from the committee of ways and means, to whom was referred a bill to pay off the deficit in the Treasury, reported the same without amendment.

The said bill was then read as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the President and Directors of the Bank of the Commonwealth, be, and they are hereby required, to give, and enter upon their books, a credit to the treasury of the Commonwealth, for the amount the treasury is indebted to said bank, the treasurer having overdrawn the amount of the deposit in said bank.

Sec. 2. *Be it further enacted*, That the President and Directors, upon giving the treasury a credit for the amount the treasury is indebted to said bank, they shall be allowed the amount in settling and adjusting the concerns of said institution with the state.

It was then moved and seconded to postpone the further consideration of said bill, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs Churchill and Dawson, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Barrett, Beall, Brown, Butler, Burns, Calhoon, Cassidy, Chambers, Chowning, Copeland, Crutchfield, Dickson, Dyer, Gass, Grundy, Guthrie, Hayes, Haynes, Helm, Hickman, Jackson, E. L. Johnson, Lackey, Lewis, McAfee, J. K. Marshall, W. N. Marshall, J. T. Morehead, New, Patterson, Patton, Phelps, Russell, Shanks, Sisk, Sprigg, Stewart, Stout, Strother, Thomas, Tomlinson, Tompkins, Vallandigham, Ward, A. S. White, Whittington, G. W. Williams, Wilson and Yantis—51.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Chiles, Churchill, Colglazer, Colyer, Curd, Dawson, Ewing, Fields, Fowler, Gaines, Girton, Grigsby, Hall, Hardy, Harris, Heady, Hunton, James, A. Johnson, Love, McNary, Mize, P. Morehead, Murray, Norvell, Patrick, Pierce,

Preston, Ray, Rodes, Robb, Roberts, Rudd, Smith, Speedsmith, Spalding, Stotts, True, Turner, D. White, S. Williams, W. J. Williams and Wortham—47.

Mr Allen, from the committee of ways and means, to whom was referred a bill to reduce the price of the public lands in the district of country west of the Tennessee river, reported the same, with an amendment, in lieu of the bill.

*Ordered*, That the said bill, with the proposed amendment, be recommitted to a select committee of Messrs James, Patton, Murray, Haynes and Fowler.

The house took up a resolution from the Senate, fixing on a day for the election of a Senator in Congress, a Treasurer, Public Printer, President and Directors of the Bank of Kentucky, and of the Bank of the Commonwealth.

Which being twice read, was concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr McAfee, from the committee of propositions and grievances—1. A bill to establish an election precinct in Washington county.

By Mr Helm, from the committee of claims—2. A bill for the benefit of Masterson Ogden.

By Mr Hardy, from the committee of religion—3. A bill to divorce Elizabeth Wilson, from her husband, Marvin A. D. Wilson.

By Mr Allen, from the committee of ways and means—4. A bill requiring tavern keepers, pedlars, and owners of stud horses and jacks, to pay taxes in advance, and obtain licenses.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr J. T. Morehead, from the committee on internal improvements made the following report:

THE Committee on Internal Improvements, to whom was referred so much of the Message of the Governor as relates to the subject of Internal Improvements, and also a resolution of the House of Representatives, instructing them to enquire into the expediency of setting apart and appropriating the funds of the Commonwealth, now invested in the stock of the Bank of Kentucky, and a portion of the stock of the Bank of the

Commonwealth, for the construction of Internal Improvements; and authorizing a loan of money to be negotiated on behalf of this commonwealth, in anticipation of the funds aforesaid, and in aid of such works of Internal Improvements, as appropriations may be made for by law, have had those subjects under their consideration, and respectfully submit the following report:

The committee are not unaware of the deep solicitude, felt throughout Kentucky in respect to the important subject, upon which it has been their duty to act, and many circumstances combine to render an enquiry into the practicability; and the mode of an efficient system of Internal Improvements, difficult and perplexing. It is universally acknowledged, that the period has arrived, when the Representatives of the people of Kentucky, in justice to the prosperity and to the character of the State, should adopt some settled policy, having in view the improvement of our roads and navigable streams. And *that* Legislature may regard itself fortunate, which, amidst the multitude of difficulties that present themselves, is enabled to lay the foundation of a system, that will reconcile the conflicting interests of the various parts of the State, and at the same time, consist with the resources which the Legislature has at its command. One thing, your committee will venture to suggest, as undeniable, that any system, to be successful and permanent, must be enlarged and comprehensive, embracing the wide-spread interests of every section, and every class, and appealing for its accomplishment, to the pride, the patriotism, the liberality of all.

Situated as the State of Kentucky is, having a good soil, favorable climate, an industrious, enterprising, and above all, an intelligent population; intersected by a variety of rivers, capable of great improvement of navigation, furnishing, in abundance, the staple, or raw material, calculated to sustain manufactures of the most profitable kind; favored with proximity to a ready market for her live stock, and an immediate outlet for her agricultural productions; in a word, with all the facilities, if we would but command them, that can render a people prosperous, independent and happy, the most powerful motives stimulate us to prompt and vigorous action. And yet, if the question were asked, why are we lagging behind our sister States in wealth and improvement, how should we answer? Are the people of Kentucky penurious? They would not bear to be told so. Are they wanting in patriotism? Their history falsifies such an imputation. Are they content with a station of inferiority to their neighbors? Let their lofty pride of character furnish the reply. No. They are not. Why, then, is it, that, whilst other States in the union, younger than ours, not more favored than ours, are rousing all their energies, calling into action all their resources, and proudly contending with each other in the rapid march of improvement—why is it, we ask, with such examples before us, and such incentives to emulation, that

Kentucky is idle, inactive and stationary? Why is it, that her representatives have not yet laid the foundation of the first great work of inter-communication, which, in future times, will be regarded as a monument of the pride and munificence of her people? There is but one answer to these questions. The reproach is not ascribable to the people of Kentucky themselves. We know them to be generous, enlightened and aspiring. The fault is to be found in the apathy of her statesmen. The failure may be traced to a groundless fear on their part, of popular disapprobation of measures, than to convince our fellow citizens of the value and importance of which, nothing is more practicable, and nothing will be a surer passport to their continued confidence and support. The people of Kentucky have ceased to be what they have been, if they will ever call their representatives to account for patriotic endeavors to render the commonwealth respectable abroad, prosperous at home, rich in improvements of permanent usefulness, which, while they enhance the value of property, while they contribute to the facilities of commerce, while they open avenues to industry and enterprise, and spread a glow of pride and gladness over the face of society, are, at the same time, constant and never-failing sources of revenue and capital to the State. These are results of Legislative policy, that incur no risks of popular displeasure. They claim, on the contrary, and will inevitably receive the just tribute of universal applause.

Your committee are earnest in recommending the adoption of a general system of Internal Improvements, and the application of the united resources of the State, to the accomplishment of the work. It may be said, it has often been said, that those resources are too limited. While Ohio is boldly constructing her magnificent canals; while Pennsylvania is investing her millions in her public works; while New York may safely challenge the world for a parallel to hers, Kentucky is reproached—the very argument is a reproach—by her own politicians, with being too poor to make a turnpike road. Your committee feel gratified in believing that such an argument is founded on a mistaken basis; and they will undertake to show, that the means, if not at our immediate disposal, are certainly within our reach, to complete such improvements, as the pressing emergencies of the country require. Having done this, they will respectfully suggest, as the result of their maturest deliberations, what those improvements should be.

The capital of the State consists in her stock in the Banks of Kentucky, and of the Commonwealth, and the proceeds arising from the sales of her vacant lands. From the best information which your committee has received, they are warranted in assuming the amount of stock in the Bank of Kentucky, at about \$158,000. They propose, however, that only one hundred thousand dollars of that fund be applied to the purposes of Internal Improvement.

From the report of the president of the Bank of the Commonwealth, we ascertain, that there are in that institution:

Notes under discount;	\$667,470 47
" in suit,	263,883 36
Real estate,	60,106 24

Making an aggregate sum of     \$991,460 07

From which deduct—

Notes in circulation,	\$350,000 00
Bad and doubtful debts,	133,043 33
Due to the Bank of Kentucky,	19,189 76
" to individuals,	34,952 15

\$537,185 24

Which leaves a balance of stock in the Bank of the Commonwealth, of     \$454,274 83

The doubtful debts due to the Bank of the Commonwealth are estimated at \$52,811 94. Of these a reasonable hope may be entertained that many of them will be realized.

The annual sales of the public lands may be fairly calculated at about \$10,000, that being one third less than the auditor's estimate for the current year.

Such is our condition, in a pecuniary point of view; such are the means on which we are to rely for the commencement of a system of Internal Improvement. There is one difficulty, that offers itself to the intelligent mind, on the first view of the subject, as it has been presented. It is this: The resources of the State cannot be immediately realized; and, in the opinions of many of our wisest politicians, the commencement of the contemplated improvements should not be delayed. The time has already arrived, when we should begin the work. Shall we commence without the means of successfully carrying it on, or is there no other alternative? In the opinion of your committee, there is, and a safe one. That alternative does not consist in delay and inaction; but, in the just and reasonable anticipation of the means that belong to us, *by the negotiation of a loan on the credit of the state.*

This may appear to some a novel, to others a startling, proposition. To us in Kentucky, it is certainly *novel*. We have been so long accustomed to listen, with patience, to imputations upon the credit and character of the state, having their origin in the acknowledged improvidence of our legislative policy, a policy long since abandoned by the candid of all parties, that we have overlooked their injuriousness in the apparent justice of their application, without properly reflecting upon the impracticability of stigmatizing a whole people.

Your committee do not entertain a momentary doubt, that a loan can be negotiated on advantageous terms. Whether it should be resorted to, and if so, to what extent, are questions of expediency for the consideration of the House.

Any man who has reflected on the value of capital invested in stock, yielding an annual revenue of from six to ten per cent, not subject to the ordinary casualties of dilapidation and decay, and increasing in profit with the progressive increase of the wealth and population of the country, must be convinced, without the aid of argument, that the resources of the state could in no other manner be more judiciously employed, than by such an investment. Whether turnpike stock in Kentucky would yield the profit that has been mentioned, is a subject on which your committee will submit a few facts and observations presently.

We know—certainly we have the most confident assurances,—that after the lapse of a short period, the legislature will have, for its disposal in some way or other, for good or evil, the sum of six hundred thousand dollars. The blindest infatuation will not suffer it to remain idle and unproductive. Sound policy will direct its application in that manner most conducive to the general welfare. The light of experience will conduct us safely in the path of duty; and your committee venture the assertion, that there can be no investment of the public capital more profitably, than in the stock of turnpike roads—such prominent roads, leading from one important commercial point to another, as well nigh monopolize the transportation and travel of the country.

During the year 1830, four miles of the Maysville turnpike have been completed. Including the hill at Maysville, which was reduced to a level of less than five degrees, the average cost of its construction was \$7,870 40 cents per mile. Although a great portion of the transportation has purposely avoided the road, in order to escape the payment of the tolls, and although the rates of toll were considerably reduced below the terms fixed by law, yet since the completion of four miles only, and the erection of a toll-gate, the stockholders have realized a profit at the rate of more than ten per cent per annum on their capital.

Experiments made on other parts of the same road, are equally conclusive of the profitability of the proposed investment. The turnpike constructed between Louisville and Middletown, cost \$10,000 a mile. It appears, from the report made by the president of that company to the present legislature, that it has, during the last year, yielded a profit of at least five per cent. on the capital expended. That portion of the road constructed by the board of internal improvement for Shelby, cost about \$3,800 a mile. Assuming the fact, that the travel and transportation over the latter will be equal to that over the former, the Shelby road will, when brought into use, yield upwards of 13 per cent nett profits; and making allowance for every possible drawback upon it, its profits will exceed ten per cent.

Your committee have made some calculations upon this subject, more in detail, the result of which will not, perhaps be uninteresting.

The road from Maysville to Louisville is 132 miles:

The cost of its construction may be assumed at an average of \$5,000 a mile, making in the whole

\$660,000

Supposing the State to be the owner of one half the stock,      \$330,000  
 Calculating upon this amount of stock, a dividend of six  
 per cent per annum, and it will give \$19,800; say, for the  
 sake of round numbers, and because the dividend might  
 be fairly estimated at from two to four per cent higher,      \$20,000

No doubt is entertained by those acquainted with the topography of the country, that, on the road from Louisville to Elizabethtown, Bowling-green, and thence to the south-western termination of that road, a Mc-Adamized road may be constructed at a cost of less than \$4,000 a mile. Assuming that it will cost that sum, then the annual dividend on the original stock in the Maysville and Louisville road will construct five miles yearly, and throwing out of view all the profit which will be derived from an annual appropriation of that sum, for five years, or until 25 miles of the road from Louisville, shall be completed, and an investiture thereby made, of \$100,000—we will then, that is to say, at the expiration of 5 years after the first investment, have a stock of \$430,000, yielding an annual revenue of \$26,000, adequate to the construction of six and a half miles of additional road every year; or  $32\frac{1}{2}$  miles in the next five years. We will then have made  $52\frac{1}{2}$  miles of turnpike road in ten years, at a cost of \$210,000, without the expenditure of a single dollar beyond the original stock of \$330,000; and at the expiration of ten years, a stock of \$540,000 in turnpike roads, yielding an annual dividend of \$32,600. This sum will be adequate to the construction of  $9\frac{1}{2}$  miles of additional road annually, or, in the next five years, of  $47\frac{1}{2}$  miles of road, at a cost of \$190,000. Adding that sum to the \$540,000, which the operations of the first ten years would give, and, at the expiration of fifteen years, there will be one hundred miles of turnpike, at a cost of \$730,000; thus more than doubling the original capital of \$330,000. This sum will be equal to the construction of eleven miles of road annually, or fifty-five miles in five years, worth \$220,000, to be added to the \$730,000, possessed at the commencement of this period of five years; making an aggregate of 155 miles of road, and of \$950,000 of stock, in a period of twenty years. Your committee will not further extend the calculation.

These are no less interesting than undoubted facts. They challenge our most deliberate attention. They appeal to our most solemn convictions of public duty, and they furnish data for a safe calculation respecting the other principal roads of the State. From Louisville, through Elizabethtown and Bowlinggreen, to Nashville, the travel and transportation would afford a revenue, it is not doubted, of more than eight per cent. As proof of this, the stock of the Bridge Company at Bowlinggreen, although the bridge is not much used, except when Barren river is impassable, has yielded an average dividend equal to that amount.

If such an investment of our capital will thus contribute to the annual replenishment of the treasury, and, in the course of time, to the relief of the people from taxation, a well directed public spirit cannot fail to demand

it; and your committee will not deny, that they covet a portion of the honor that awaits the Legislature, whose good fortune it may be to cause the first stone to be laid of the good work.

A proposition for the first time made to the representatives of the people of Kentucky, to borrow money for *any* purpose, may require a few remarks in its justification. Your committee have already given it as their opinion that a loan can be effected. The annual income of a great State, sustained by an enlightened public sentiment, is a safe guarantee for the fulfilment of its engagements. The emergencies of a State, like those of an individual, often render it wise and prudent to call in the aid of other capital than its own, for the advancement of the great purposes for which it was constituted.

Other States of the American union, have deemed such a policy advisable for the accomplishment of the same objects that your committee have in view; and although, some, with less foresight than patriotism, may have drawn upon their credit to a greater extent, perhaps, than was called for by the condition of the people, or the embarrassments under which they labored for the want of improved roads, yet the success of others furnishes encouragement enough.

Your committee cannot perceive any well founded objection to the proposed loan, on the score, either of principle or expediency. If, as is believed, the stock of the State in the Banks, will be realized at a period not very remote, and if, as is generally conceded, it should be applied to the Internal Improvement of the country, it is certainly unexceptionable to set it apart as a kind of deposit for the payment of a sum, not very disproportionate in amount, to be borrowed on advantageous terms of credit and interest. Consisting, as that stock does, in a great proportion of solvent debts, due to the bank of the commonwealth, it will bear an interest at a higher rate than it is confidently anticipated, a loan can be made. But independently of that consideration, by applying it to the purposes proposed by your committee, we shall ensure its exemption from subsequent legislative interference, and prevent the application of it to the thousand claims of a local, and consequently, less important, character, that arise out of the necessities of particular sections of the State. We shall thus check the current of local appropriation, that already threatens to undermine the proposed general system: And if appropriations of that kind, *must* be made, which your committee are far from discountenancing, *if* made under the control of a salutary discretion, there must then be a resort to the only policy, that can justify, or sustain them, a reasonable addition to the present amount of taxation. To that resort, for the necessary support of the government, one of the first of all duties devolving on a State, an intelligent community, will not, they cannot, consistently object. Your committee would not do their constituents, whose interests and sovereignty they deem it a high honor to represent, the injustice to insinuate,

that they could be induced at any time, to withhold the means necessary to preserve the action, and advance the prosperity of free institutions of their own creation.

The amount of the sum to be borrowed is the next subject for consideration. A loan of five hundred thousand dollars would not be greater than our acknowledged ability to pay, and would answer the purpose of a commencement of the system. A sum short of that would be insufficient.

Your committee believe, that nothing is necessary but to begin, in order to enlist public sentiment in behalf of a vigorous prosecution of the work. Public opinion will point to the means, and the munificence of the people supply them, adequate to support the system, whenever the proposed amount shall be disbursed. A system of such magnitude and importance, will not, when once carved out and commenced, be permitted to languish and sink. It will be upheld. The interest, the pride, the magnanimity of the people *will* uphold it.

The road from Maysville, through Paris, Lexington, Frankfort and Shelbyville to Louisville, and from thence through Elizabethtown to Bowlinggreen, and the road from Lexington through Harrodsburgh, and the interjacent counties, to intersect the road from Louisville to Bowlinggreen; branching from the latter place through the county of Simpson to the Tennessee line, in the direction to Nashville, and through Russellville and intermediate towns to the mouth of Cumberland, are perhaps the most prominent commercial thoroughfares in the State. They cover an estimated distance of about five hundred miles in length. Of those roads fractions of about seventy miles, have either been constructed, or it is believed will shortly be, or are under contract.

Now, what is the probable cost of turnpiking those roads on the M'Adams plan?

The average cost of construction may be assumed at \$4000 a mile. This will require, deducting the fractions alluded to, the sum of a million, seven hundred and twenty thousand dollars to complete them.

From this calculation, it will be seen that the resources of the state, to build them on a footing of her own, are inadequate. It will therefore follow, that she must become a partner with such private companies, as will avail themselves of the offer of legislative aid. Your committee would propose, as a principal feature in a general system, that for every ten or twenty miles of turnpike, that individual companies will undertake and complete, the state, on her part, will complete an equal distance. If this principle should be adopted, the sum requisite to finish the roads which have been referred to, to be advanced by the state, will be about \$860,000. Suppose this amount to be thus invested on the part of the state, yielding a profit of eight per cent, the annual revenue to be derived from that source would be nearly equal to \$70,000; a revenue that will be commensurate with the duration of our state institutions. The progressive increase of the population of

the country; the growth of its manufacturing and agricultural industry, and the consequent expansion of its commerce, will, it is justly anticipated, augment those profits in an almost duplicate ratio.

Although your committee has selected the two roads before mentioned, both because they serve as a basis of a fair calculation of cost and profit, and because they are commonly regarded as the great arteries of the system, yet they by no means design the exclusion of other leading roads in other parts of the state. On the contrary, there are many others entitled to the highest consideration, as being necessary to the completion of the system. They are the following:—the road from Newport and Covington, through the intermediate counties, to Georgetown; from thence, thro' Lexington, Richmond, Rockcastle and Knox counties, to the Cumberland Gap. The road from Louisville, through Bullitt, Bardstown, Springfield, Perryville, Stanford and Crab Orchard, to intersect the road from Georgetown to the Cumberland Gap. The road from Lexington, through Winchester, Mountsterling, Owingsville, Flemingsburgh, Vanceburgh, Greenupsburgh, and from thence to the Virginia line, at the mouth of Big Sandy, to connect with the Virginia turnpike; and the road from Elizabethtown, through Hardinsburgh to Owenborough, and from thence to intersect the road from Louisville to the mouth of Cumberland, at some convenient point. These are roads of primary importance, and connect themselves properly with a general system.

The execution of a great scheme of Internal Improvements, can never be the work of a day; nor can it reasonably be expected that the public capital will be every where employed at the same time. If any thing has fallen from your committee, to recommend the propriety of commencing any one road in preference to another, a regard to the public interests, and to the stronger probability of its completion, has alone directed them. They disclaim the influence of all considerations, other than such as appertain to the dignity of the state, and the welfare of the people, as a whole community. They have thrown aside all motives of local jealousy, or interest, and have endeavored to think and act, as the representatives of *Kentucky*, deeply solicitous for her prosperity and the elevation of her character.

The occasion is not inappropriate to appeal to those feelings of state pride, which have always distinguished the people of Kentucky, and with that appeal, your committee will conclude this report.

They recommend to the House, the adoption of the following resolutions:

*Resolved*, That the Committee on Internal Improvements be instructed to prepare and bring in a bill, in conformity with the principles and views of the foregoing Report.

*Resolved*, That it is expedient to set apart five hundred thousand dollars of the stock of the state in the Bank of Kentucky, and the Bank of the Commonwealth, for the purpose of Internal Improvement.

*Resolved*, That it is expedient for the Commonwealth to borrow the sum of five hundred thousand dollars, at such times and in such proportions, as will be sufficient to meet the annual expenditures, made by the Legislature for purposes of Internal Improvement; and that the funds of the state in the Banks of Kentucky and of the Commonwealth, to that extent, be appropriated and pledged for the payment of the said loan.

*Ordered*, That the said report be committed to a committee of the whole house, for Monday, the 10th instant; and that the public printers, forthwith print three thousand copies thereof, in pamphlet form, for the use of the members of this house.

It was then moved and seconded to take up for immediate consideration, a resolution from the Senate, for a final adjournment of the General Assembly.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs Turner and Curd, were as follows, *viz*:

YEAS—Messrs. C. Allan, Anderson, Baker, Barlow, Barrett, Beall, Burns, Calhoon, Chambers, Chiles, Churchill, Colyer, Copeland, Crutchfield, Curd, Dawson, Dickson, Ewing, Fowler, Girton, Hall, Hardy, Harris, Hayes, Haynes, Hickman, Hunton, Jackson, James, Love, McNary, J. K. Marshall, Mize, J. T. Morehead, P. Morehead, New, Norvell, Patton, Pierce, Ray, Rodes, Shanks, Smith, Speedsmith, Stewart, Stotts, Tompkins, True, Turner, Valandigham, S. Williams and Wortham—52.

NAYS—Messrs. B. Allen, Brown, Butler, Cassidy, Chowning, Colglazer, Fields, Gass, Grigsby, Grundy, Guthrie, Heady, Helm, Hobbs, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Murray, Patterson, Patrick, Phelps, Preston, Robb, Roberts, Rudd, Russell, Sisk, Spalding, Sprigg, Stout, Strother, Thomas, Tomlinson, Ward, A. S. White, D. White, Whittington, G. W. Williams, W. J. Williams, Wilson and Yantis—44.

It was then moved and seconded to postpone the further consideration of said resolution until Saturday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Chiles and C. Allan, were as follows, *viz*:

YEAS—MR. SPEAKER, Messrs. Barrett, Brown, Butler, Calhoon, Cassidy, Colglazer, Crutchfield, Dyer, Fields, Gass, Grigsby, Heady, Helm, Jackson, A. Johnson, E. L. Johnson, W. N. Marshall, Murray, Patterson, Phelps, Robb, Roberts, Rudd, Russell, Sprigg, Stout, A. S. White, D. White, Whittington and Wilson—31.

NAYS—Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Beall, Burns, Chambers, Chiles, Chowning, Churchill, Colyer, Copeland, Curd, Dawson, Dickson, Ewing, Fowler, Gaines, Girton, Grundy, Hall, Har-

dy, Harris, Hayes, Haynes, Hickman, Hobbs, Hunton, James, Lackey, Lewis, Love, McAfee, McNary, J. K. Marshall, Mize, J. T. Morehead, P. Morehead, New, Norvell, Patrick, Patton, Preston, Ray, Rodes, Shanks, Smith, Speedsmith, Spalding, Stewart, Stotts, Strother, Thomas, Tomlinson, Tompkins, True, Turner, Vallandigham, Ward, G. W. Williams, S. Williams, W. J. Williams, Wortham and Yantis—65.

The said resolution was then read as follows, viz:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That when they adjourn on Saturday, the 15th day of January next, they will adjourn without day.

It was then moved and seconded to amend said resolution, by striking out the *fifteenth*, and inserting in lieu thereof, the *twenty-fifth*.

A division of the question was called for; and the question put on striking out “*the fifteenth*,” which was decided in the negative.

The yeas and nays being required thereon, by Messrs Pierce and Turner, were as follows:

YEAS—MR. SPEAKER, Messrs. Brown, Butler, Crutchfield, Dyer, Grigsby, Heady, Helm, A. Johnson, E. L. Johnson, Murray, Phelps, Roberts, Rudd, Russell, Sisk, Sprigg, Stout, Thomas, D. White, Whittington and Wilson—22.

NAYS—Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Burns, Calhoon, Cassidy, Chambers, Chiles, Churchill, Colglazer, Colyer, Copeland, Curd, Dawson, Dickson, Ewing, Fields, Fowler, Gaines, Gass, Girton, Grundy, Hardy, Harris, Hayes, Haynes, Hickman, Hobbs, Hunton, Jackson, James, Lackey, Lewis, Love, McAfee, McNary, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, New, Norvell, Patterson, Patrick, Patton, Pierce, Preston, Ray, Rodes, Robb, Shanks, Smith, Speedsmith, Spalding, Stewart, Stotts, Strother, Tomlinson, Tompkins, True, Turner, Vallandigham, Ward, A. S. White, G. W. Williams, S. Williams, W. J. Williams, Wortham and Yantis—74.

The said resolution was then concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The amendments proposed by the select committee, to a bill to give additional powers to the Trustees of the town of Shelbyville, were twice read and concurred in. And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered,* That the clerk carry the said bill to the Senate and request their concurrence.

A bill to amend an act entitled, an act for the suppression of riots, routs and unlawful assemblies, was read a second time, and an amendment offered thereto by way of substitute, which was read as follows:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for a justice of the peace of any county in the state, upon information being given to him, upon the oath or affirmation of the informant, that any person guilty of a riot or breach of the peace, has fled to another county in the state, for the purpose of evading the process of law in such case, authorized to issue a warrant for the apprehension of said offender, directed to any constable of the county in which he may have taken refuge; whose duty it shall be to execute the same, and return it to the justice issuing the process, or to some other justice in the county where the offence was committed, that the offender may be dealt with according to law.

This act shall be in force from and after the passage thereof.

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That an act passed December 21st, 1802, in force from its passage, concerning riots, routs, unlawful assemblies, or breaches of the peace, shall be, and the same is hereby repealed.

Sec. 2. *Be it further enacted,* If any riot, rout, unlawful assembly of the people, or breach of the peace be made or committed in any part of this Commonwealth; any justice of the peace being present and in view of said riot, rout, unlawful assembly of the people, or breach of the peace, it shall be the duty of the said justice to issue his warrant, directed to any constable or the sheriff of the county, and cause the said offenders to be brought before him; and shall recognize him, or them, with one or more good and sufficient securities, in the sum of twenty dollars, to appear the first day of the next circuit court, to be held for said county, to answer the charge contained in the aforesaid warrant; which said recognizance shall be made payable to the Commonwealth; and for a breach of any of its conditions, may be put in suit, by action of debt, in the county where the said forfeiture has accrued.

Sec. 3. *Be it further enacted,* That any person giving information, on oath, to any justice of the peace in any county in this Commonwealth, that any riot, rout, unlawful assembly of the people, or breach of the peace has been committed, it shall, in like manner, be the duty of said justice to issue his warrant, directed to the sheriff or any constable of said county, commanding him to apprehend the person, or persons, so charged,

and cause them to be brought before him or some other justice of the peace; and after hearing the evidence, if he shall be of opinion the persons so charged are guilty of any of the aforesaid offences, he shall recognize him, her or them, with one or more good and sufficient securities, in the sum of twenty dollars, for his, her or their appearance, the first day of the next circuit court, to be held for said county, to answer the aforesaid charge; the said recognizance shall, in like manner, be made payable to the Commonwealth, and in like manner put in suit, for a breach of any of its conditions.

Sec. 4. *Be it further enacted*, That it shall be the duty of any justice of the peace, so recognizing any offender, within ten days thereafter, to transmit to the clerk of his county, all the papers relating to said case, together with a list of witnesses in behalf of the Commonwealth; and it shall be the duty of the clerk, immediately on the reception of the papers, to issue subpoenas for the said witnesses, commanding their appearance on the first day of the next term of said court.

Sec. 5. *Be it further enacted*, It shall be the duty of the Attorney for the Commonwealth, in all cases in which offenders have been recognized, to file presentments or indictments, as the case may be, against the said offenders; who shall be tried in every respect by the laws now in force, regulating such trials in the circuit court; and for every conviction had under the provisions of this act, the clerk is directed in his taxation for costs, to tax an attorney's fee of \$2 50, for the benefit of the Attorney for the Commonwealth.

Sec. 6. *Be it further enacted*, That the sheriff or constable shall be entitled to the sum of one dollar for apprehending each offender under this act; and each witness the sum of fifty cents for each day's attendance; and all costs accruing before him shall be certified to the clerk by him, which, together with the costs incurred in the circuit court, shall be taxed in the bill of costs against the persons convicted.

Sec. 7. *Be it further enacted*, That none of the provisions of this act shall be considered as repealing any provisions of the common law now in force, concerning the suppression of riots, routs, unlawful assemblies, or breaches of the peace.

Sec. 8. *Be it further enacted*, That hereafter, on an indictment for any of the offences herein provided against, no prosecutor shall be necessary; and no indictment shall be dismissed or quashed for the want of a prosecutor.

It was then moved and seconded to postpone the further consideration of said bill, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. Mize and Burns, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. C. Allan, B. Allen, Baker, Barlow, Brown, Cassidy, Chiles, Churchill, Colglazer, Colyer, Copeland, Curd, Dawson, Dyer, Fields, Girton, Guthrie, Hall, Hardy, Harris, Hayes, Haynes, Heady, Henderson, Hobbs, Lackey, McNary, J. K. Marshall, Mize, P. Morehead, Murray, New, Patterson, Pierce, Preston, Ray, Robb, Russell, Shanks, Sisk, Smith, Spalding, Stewart, Stotts, Stout, Tompkins, True, Turner, Ward, A. S. White, Whittington, S. Williams, W. J. Williams and Wortham—55.

NAYS—Messrs. Anderson, Barrett, Beall, Butler, Burns, Chambers, Chowning, Crutchfield, Ewing, Fowler, Gaines, Gass, Grundy, Helm, Hickman, Jackson, James, A. Johnson, E. L. Johnson, Love, McAfee, W. N. Marshall, Patrick, Patton, Phelps, Roberts, Speedsmith, Sprigg, Strother, Thomas, Vallandigham, D. White and G. W. Williams—33.

A bill to permit the citizens of Hickman county to locate their seat of justice, was read a second time.

And then the House adjourned.

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TUESDAY, JANUARY 4, 1831.

1. Mr Fields presented the petition of sundry citizens of Newcastle, praying that a law may pass, authorizing the Trustees of said town to sell an alley in said town.

2. Mr Harris presented the petition of John Buford, praying that a law may pass, restraining the officers of the Bank of the Commonwealth from the further prosecution of a judgment obtained against him, as security of John Mershon.

3. Mr Barlow presented the petition of sundry citizens of Monroe county, praying a change of the place of voting in an election precinct in said county.

4. Mr Patton presented the petition of Temple West, praying a divorce from his wife, Susan.

5. Also, the petition of James McKinney, praying a change of venue for the trial of an indictment found against him in the Meade circuit court.

Which petitions were severally received, the reading thereof dispensed with, and referred; the second and fifth, to the committee for courts of justice; the fourth, to the committee of religion; the third, to the committee of privileges and elections; and the first, to a select committee of Messrs. Fields, B. Allen, Crutchfield and Strother.

A message was received from the Senate, announcing the passage of bills, which originated in this house, of the following titles:

W

An act to amend an act entitled, "an act for the benefit of Elizabeth Griffin, and for other purposes, approved January 23rd, 1818."

An act for the benefit of Tabitha Alford.

An act to authorize the overseer of the Crab Orchard and wilderness road to work on Water street, in the town of Mount Vernon.

An act for the benefit of William Cook.

An act for the benefit of Stephen Richardson, Jackson D. Jameson and John Emberson Brown—with amendments to the two latter bills.

And the passage of bills of the following titles:

An act to amend the several laws concerning the town of Lexington.

An act for the benefit of the heirs of Elizabeth Jones.

An act for the benefit of the widow and heirs of James Ladd, deceased.

An act for the benefit of John Montee.

An act to amend an act entitled, an act to provide for the erection of two bridges across Rockcastle river.

An act to establish and open a road in Barren county.

Mr Barlow, from the joint committee of enrolments, reported, that the committee had examined an enrolled resolution, fixing on a day for the election of a Senator in Congress, a Treasurer, Public Printer, a President and Directors of the Bank of Kentucky, and of the Bank of the Commonwealth of Kentucky, and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

Mr. Guthrie, from the committee for courts of justice, to whom was referred "a bill to amend the law for the collection of debts within the jurisdiction of justices of the peace," reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Guthrie, from the same committee to whom was referred a bill from the Senate, entitled, an act for the benefit of Joshua Cates, reported the same without amendment.

The said bill was thereupon ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Guthrie, from the same committee, reported a bill for the benefit of the committee and family of John Atchison, which was received, read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of said bill having been dispensed with, the same was amended, and ordered to be read a third time, as amended.

And thereupon, the rule of the house, constitutional provision and third reading of said bill, having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be amended by adding thereto the words, "and for the benefit of John Lear's heirs."

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr C. Allan, from the committee of ways and means, to whom was referred a bill to reduce the price of the public lands in the district of country west of the Tennessee river, reported the same with an amendment.

Which being twice read, was concurred in. And the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Allan, from the same committee, to whom was referred "a bill to prevent persons from exhibiting live animals or other curiosities without licence," reported the same without amendment.

*Ordered*, That the said bill be re-committed to a select committee of Messrs. Hardy, Barlow, Yantis and Turner.

The Speaker laid before the house the annual report of the commissioners of the Lunatic Asylum, at Lexington, which is as follows:

*To the Honorable, the General Assembly*

*of the Commonwealth of Kentucky:*

In conformity to your act, the commissioners of the Lunatic Asylum beg leave to report:—That in the annexed paper, (marked A.) will be found a list of the patients, their disease, age, from what county, and the date when received.—Also, the number admitted since this humane establishment was founded, by your honorable body—showing that since then,

ninety-five have been restored to society and their friends, out of two hundred and seventy-one. During the past year, thirty-one patients have been received; nine of whom have been restored to society; and one case of mortality has occurred. Of those remaining at last report, eight have been discharged cured, and fourteen have died; those were principally Epileptic and Fatuous patients, who had been from three to five years in the Asylum.

The document, marked (B.) exhibits the receipt and expenditure of the institution for the past year—showing a balance in the hands of the commissioners of twelve hundred and eighty-nine dollars, twenty-three cents, commonwealth's paper.

To complete the plan of the Lunatic Asylum, it would require the erection of another wing; the probable cost of which would be four thousand dollars; which when completed, have no doubt, would accommodate all the patients that will be sent to it for a number of years; and although the last addition gives an ample number of rooms for the present patients, yet a portion of the females are compelled to be kept on the same side of the principal building with the men—which it is desirable to avoid. An addition to the grounds would furnish employment for the patients, add very much to their health and comfort, and reduce the expense of the establishment. It is very desirable to possess the eight or ten acres of land held by James Harper, Esq. as he not only owns part of the spring, but makes a breach in the ground in front of the building.

Should your honorable body think proper to authorize the erection of the desired wing, an appropriation of ten thousand dollars will be required. If the purchase of the land is authorized, a further sum; and for the support *alone*, six thousand dollars will be required.

We beg leave to suggest the propriety of exempting by law, the commissioners and the persons in their employ at the Asylum from serving on juries and from militia duty.

All which is respectfully submitted, by

JOHN W. HUNT,  
RICHARD ASHTON,  
JOHN BRAND,  
R. HIGGINS.

Lexington, 29th Dec. 1830.

(A.)

*List of Patients remaining in the Lunatic Asylum, Dec. 25th, 1830.*

<i>Date.</i>	<i>Disease.</i>	<i>Sex.</i>	<i>County.</i>	<i>Age.</i>	<i>No.</i>
May 4th,	1824,	Idiocy,	Male,	Fayette,	26 2
" "	"	do	Female,	do	24 3
" "	"	do	do	Breckenridge,	43 4
" "	"	do	do	do	15 5
" "	"	do	Male,	Casey,	29 6
" 11th,	"	Epilepsy,	Female,	Nicholas,	29 9
" 31st,	"	Amat.	Male,	Scott,	35 12

<i>Date.</i>	<i>Disease.</i>	<i>Sex.</i>	<i>County.</i>	<i>Age.</i>	<i>No.</i>
" "	A dolore,	Female,	Franklin,	29	13
June 3d,	Furor,	do	Madison,	52	14
" 11th,	do	do	Scott,	31	16
July 10th,	Mania,	do	Butler,	43	23
" 20th,	Cata man.	do	Clark,	34	25
October 23d,	Mania,	do	Madison,	38	32
" "	do	do	Jefferson,	25	40
Nov. 25th,	do	Male,	Fayette,	39	41
Jan. " 1825,	Idiocy,	Female,	Shelby,	34	50
May 18th,	do	Male,	Wayne,	28	55
June 4th,	Mania,	do	Shelby,	15	67
" 15th,	do	do	Warren,	29	70
July 31st,	Epilep.	do	Wayne,	31	73
August 7th,	Mania,	do	Grayson,	25	77
September 3d,	do	do	Mississippi,	37	81
April 4th, 1826,	Dolare,	do	Jefferson,	21	101
" 14th,	Mania,	Female,	Harrison,	38	102
June 15th,	Idiocy,	do	Garrard,	23	104
Sept. 25th,	Cata man.	do	Harrison,	25	113
October 25th,	Mania,	do	Jefferson,	33	117
Nov. 23d,	do	do	Mason,	53	118
" - "	do	Male,	Jefferson,	46	125
March 13, 1827,	Epilep.	do	Fleming,	23	131
" "	Dolare,	do	Fayette,	36	132
May 10th,	Epilep.	do	do	30	139
" 29th,	Peur peril,	Female,	Washington,	51	140
June 6th,	A potu,	Female,	Mason,	53	142
" 13th,	Idiocy,	Male,	Pendleton,	27	144
" 29th,	do	do	do	25	147
July 7th,	do	Female,	Fayette,	46	149
October 6th,	Mania,	do	Christian,	61	155
Nov. 2d,	Idiocy,	do	Bracken,	11	157
" 23d,	Mania,	do	Logan,	44	159
Dec. 12th,	A dolore,	do	McCracken,	39	161
Feby 15th, 1828,	Mania,	Male,	Natchez,	41	165
April 10th,	do	Female,	Barren,	41	168
" 18th,	A potu,	Male,	Mercer,	29	169
" "	Epilep.	do	do	24	170
May 7th,	Mania,	Female,	Laurel,	28	173
June 23d,	do	Male,	Fayette,	41	179
" 30th,	do	do	do	31	180
July 20th,	Epilep.	Female,	Spencer,	32	181
August 4th,	Idiocy,	do	Wayne,	42	183
" 7th,	do	Male,	Mercer,	13	184
Sept. 18th,	Epilep.	do	Boone,	30	189
Oct. 2d,	Idiocy,	Female,	Fayette,	15	191
" "	Mania,	Male,	Barren,	34	193
Nov. 7th,	Cat. sup.	Female,	Jessamine,	26	195
" 21st,	Epilep.	do	Hart,	24	196
Dec. 4th,	Mania,	Male,	Allen,	32	199
Mar. 15th, 1829,	do	Female,	Logan,	41	206
April 29th,	A potu,	Male,	Jefferson,	19	208
May 30th,	Mania,	Female,	Logan,	36	210
" "	do	do	Bourbon,	34	211
July 16th,	do	do	Munroe,	35	217
" 17th,	do	do	Fayette,	51	218

[JAN. 4.

Date.	Disease.	Sex.	County.	Age.	No.
July 25th,	" Mania,	Female,	Simpson,	33	220
Sept. 5th,	" Epilep.	do	Mercer,	15	224
" 14th,	" Grief,	do	Barren,	27	226
" 20th,	" Mania,	do	Hopkins,	36	227
" 21st,	" do	Male,	Madison,	41	228
Oct. 5th,	" A potu,	do	Scott,	37	230
" 16th,	" Mania,	do	Fayette,	33	234
" 24th,	" do	do	Mercer,	41	235
Nov. 19th,	" do	Female,	Bourbon,	34	240
March 6th, 1830,	" do	do	Logan,	23	244
" 12th,	" do	do	Scott,	26	245
" 26th,	Idiocy,	Male,	Nelson,	65	246
April 2d,	" Mania,	Female,	Hardin,	65	247
" 21st,	" do	do	Mercer,	52	249
May 25th,	" do	do	Bourbon,	37	250
" 27th,	" do	Male,	Mississippi,	24	251
June 24th,	" do	Female,	Mercer,	38	254
" 25th,	" A dolore,	do	Barren,	47	256
July 20th,	Epilep.	Male,	Jessamine,	21	257
Sept. 2d,	" do	Female,	Simpson,	28	261
Oct. 2d,	" Mania,	Male,	Mercer,	32	263
" 14th,	" do	Female,	Tennessee,	36	264
" 17th,	" do	Male,	Ohio co.	40	266
" 25th,	Epilep.	Female,	do.	37	268
Nov. 15th,	Idiocy,	Male,	Logan,	55	269
Dec. 6th,	Mania,	do	Casey,	22	270
" 25th,	A dolore,	do	Shelby,	22	271
Males 39, Females 51, Total 90.					

Remained in Hospital, 31st Dec. 1829, per last Report,

94

Of whom have since died, . . . . . 14  
discharged, . . . . . 8

—22

Received since last Report—to 25th December, 1830,

31

Of whom have died, . . . . .	1
discharged, . . . . .	9
eloped, . . . . .	3
	—13
	35

Remain this 25th December, 1830,

90

Males, 39 } of whom are { Boarders, 10	
Females, 51 } 51 } Paupers, 80	
—	—
90	90

From January, 1824, to 25th December, 1830—Patients received, 271

Of whom have died, . . . . . 71  
discharged, . . . . . 95  
eloped, . . . . . 15

— 181

Males, 172
Females, 99

Remain, — 90

*The patients are from the following Counties:*—Fayette 11; Mercer 8; Jefferson 5; Logan 5; Scott 4; Barren 4; Madison 3; Shelby 3; Wayne 3; Bourbon 3; Breckenridge 2; Casey 2; Harrison 2; Mason 2; Pendleton 2; Jessamine 2; Simpson 2; Ohio 2; Nicholas 1; Franklin 1; Butler 1; Clarke 1; Warren 1; Grayson 1; Garrard 1; Fleming 1; Washington 1; Christian 1; Bracken 1; McCracken 1; Laurel 1; Spencer 1; Boone 1; Hart 1; Allen 1; Munroe 1; Hopkins 1; Nelson 1; Hardin 1;—86. *Mississippi* 3. *Tennessee* 1. Total 90.

## (B.)

*Receipt and expenditure of the Lunatic Asylum, from 31st December, 1829, to 29th December, 1830.*

		CHARGE.
To balance on hand, as per last Report,		\$ 32 65
State appropriation,		8,000 00
Cash received for sundry boarders,		1,384 08
		<hr/> \$9,416 73
		DISCHARGE.
By amount paid for provisions,		\$2,543 68
do do clothing,		1,153 32
do do repairs and fences,		380 65
do do fuel,		690 00
do do salaries and hire,		1,405 29
do do medicines,		12
do do extras,		178 82
do conveying patients to Asylum,		320
do balance of price of new wing, with furniture, stoves, &c. &c.		1,443 74
By balance cash on hand,		1,289 23
		<hr/> \$9,416 73

E. & O. E.

JOHN W. HUNT, Ch'n of C.

Lexington, 29th December, 1830.

Mr Allan, from the same committee, reported a bill regulating the tax upon merchandise, which was read the first time and ordered to be read a second time.

Mr J. T. Morehead, from the committee on internal improvement, reported a bill to establish a road from Hopkinsville, by the way of Cadiz, Canton, J. C. Pentecost's ferry, on the Tennessee river, Wadsworth and Mayfield, to the town of Columbus, on the Mississippi river, which was received and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Morehead, from the same committee, to whom was referred a bill to appropriate the fines and forfeitures of Monroe county, to the improvement of the roads in said county, reported the same with an amendment.

Which being twice read, was concurred in. And the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

A message was received from the Senate, informing this house that the Senate had received official information that the Governor did, on this day, approve and sign an enrolled joint resolution, which originated in the Senate, fixing upon a day for the election of a Senator in Congress, Treasurer, Public Printer, President of the Bank of Kentucky, and a President and Directors of the Bank of the Commonwealth.

Mr Butler, from the committee on education, to whom was referred a bill from the Senate, entitled, "an act to appropriate the fines and forfeitures of Hardin county towards lessening the county levy," reported the same without amendment.

And the question being taken on reading the said bill, a third time, it was decided in the negative, and so the said bill was disagreed to.

*Ordered*, That the clerk inform the Senate thereof.

Mr Butler, from the committee on education, made the following report:

The committee on education, have, according to order, had under consideration the petition of sundry citizens of Bracken county, praying that "so much of the act passed in 1822, entitled "an act to incorporate the trustees of Augusta College," as directs that the proceeds of the \$10,000 of the Bracken seminary money shall be paid to the Augusta college, may be repealed;" and also, praying that a law may be passed "directing that the Bracken seminary money shall be applied towards the support of common schools in Bracken county;" and also, for the passage of a law, authorizing the trustees of the Bracken seminary, to sell their seminary lot in the town of Augusta, &c. &c. and beg leave to report the said petition, and the several members thereof, is reasonable, except so far as it relates to the seminary lot in the town of Augusta, unreasonable.

Your committee, feel that they owe it to the importance of the subject, as well as to the number and respectability of the petitioners, to disclose the reasons upon which they have acted, in coming to the foregoing conclusion.

The Bracken seminary was established in the year 1798, by the "act to establish and endow certain academies." See 2nd Litt. 240. From the 2nd section of that act it will appear, that the title to the lands therein granted, was vested in the persons therein named as trustees, and their successors in office; with a restriction upon the right of alienation. This restriction was partially removed by subsequent acts. See 2nd Litt. 419; 3rd Litt. 202; and 5th Litt. 269, and finally, in relation to the Bracken seminary, was totally removed, and the trustees thereof invested with unlimited control over the funds of said institution.

From the several acts above referred to, it is manifest, that the trustees of the Bracken seminary, were the legal proprietors of the lands and funds belonging to that institution; and that although they held them in trust for "the use of that seminary," they alone were the proper judges of what would, or would not be useful; and although they might act with bad judgment, or even with bad faith, in the appropriation of the funds thus entrusted to their keeping, the contract made by them, would, nevertheless, bind them and their successors, and their alienee would hold a valid title to the thing transferred, entirely untainted by the fraud, and uninfluenced by the folly of those with whom he contracted. The trustees, like all other agents and fiduciaries, being responsible, according to the nature of their trust, either individually, or officially, for their acts. If the contracts thus made by them, were not obligatory and sacred in their character, would it not be fatuity in the Legislature, to invest them with plenary powers to contract? Who would contract with them, if such contracts were to be binding on the one part, and unobligatory on the other; this is the prerogative of infancy, but a principle unknown in the contracts of adults, whether they be individuals or corporations. The Legislature has in the very act of incorporation, distinctly sanctioned the principle here contended for. In the last section of the act of 1798, first cited, they reserve the right of future control over their appropriations, but declare that "no act shall be passed to impair any contract which may be made by the trustees," "by virtue of the powers herein delegated to them." This was a guarantee due to the purchasers of the lands granted and authorized to be sold, and equally due to all other persons, private or corporate, entering into contracts with the trustees of that seminary, whether such contract appertained to the fee simple, or merely to the usufruct of their real or personal estate. Without that guarantee, the act of incorporation would have been a dead letter, and all the powers conferred upon the trustees utterly nugatory.

The trustees, acting in conformity with the powers thus derived, and in the exercise of that *sound discretion* which constitutes the essence of all trusts, made various contracts. By some of said contracts, they alienated their real estate, thereby converting waste lands into available funds. Having by economy and good husbandry, accumulated a fund of about

\$10,000, and finding that the institution confided to their management was dragging on, through a feeble and languishing existence, certainly not conferring that active and extensive munificence upon the community which was hoped for by its benefactors, determined to effect a radical change in its character; not, however, incompatible with the original design of its founders, which was the encouragement and diffusion of learning.

Acting upon this sentiment, the trustees of said academy, sometime in the year 1822, entered into an agreement with the agents of the conferences held in Ohio and Kentucky, for the Methodist Episcopal church, by which they stipulated for a union of their monied resources, for the erection of a literary institution, to be located in the town of Augusta, Bracken county. In conformity with this agreement, a law passed in 1822 "to incorporate the trustees of the Augusta College." See acts of 1822, page 163. From the preamble of that act, it will be seen, that the trustees of the Bracken seminary stipulated to apply the proceeds of a fund of \$10,000 to the use of the Augusta College, in consideration of the permanent location of that College in the town of Augusta. The Legislature exercising the power reserved to themselves in the act incorporating the Bracken Seminary, of a future control of its funds, have, in the 4th section of the act to incorporate the trustees of the Augusta College, distinctly confirmed and ratified this arrangement, provided the fund is applied in good faith to the purposes for which it was appropriated, *to-wit:* the support of the Latin; Greek and English branches of education.

The contract thus made by parties competent to contract, and sealed by the confirming voice of the Legislature of the country, has been in good faith executed by all parties. There is no contradictory evidence on this head; it is not even denied by the petitioners. If, therefore, it were advisable to rescind the agreement, your committee are of the opinion, that the legislature possesses no such power. But in the present case there is no conflict between justice and expediency, both requiring the strict observance of the contract before alluded to. Indeed, there could scarcely have been a more judicious appropriation of funds, than that made by the trustees of the Bracken Seminary. It has given birth to one of the most prosperous institutions of learning in this commonwealth; an institution of which the State has reason to be proud.

The second prayer of the petitioners, *to-wit:* "that a law may be passed directing that the Bracken Seminary money may be applied towards the support of common schools in Bracken county," is predicated upon the success of their prayer, and having no independant and definitive object, need not be separately considered. Your committee would, however, beg leave to suggest, that the county of Bracken has been divided into 16 school districts, each about eight miles square, or covering a surface of 64 square miles. The dividend of the annual proceeds of the \$10,000,

amongst the 16 districts, would yield \$37 50 cents to each, a diffusion by which its benefits would be lost to the very subjects upon which they were conferred. If you had the power, it would surely be an unwise use of it to comply with the prayer of the petitioners, thereby dismantling a flourishing literary foundation, which is annually dispensing the blessings of science to near two hundred students for the doubtful equivalent of such a scheme.

The third prayer of the petitioners, is for the passage of a law authorizing the trustees of the Bracken Seminary to sell their seminary lot, &c. It was in proof before this committee, that the trustees had neither a legal nor equitable title to the lot here alluded to, but held the same by a mere parol gift, which may be at any moment revoked. If the trustees had title to this lot, they would be authorized by the several acts herein before cited, to alienate it; and the passage of a further law upon the subject would be mere supererogation.

Your committee have therefore, in relation to said petition, come to the following resolution:

*Resolved*, That said petition is unreasonable.

Mr C. Allan, from the committee of ways and means, reported "a bill regulating the tax on merchandise," which was received and read the first time and ordered to be read a second time.

A message was then received from the Senate, announcing an intention on their part, to proceed, in conjunction with this house, to the election of a Senator, to represent this state in the Congress of the United States, for six years, from and after the 3d day of March next, in the room of the Hon. John Rowan, whose term of service will then expire.

*Ordered*, That a message be sent to the Senate, informing them that this house is now ready, by a joint vote with the Senate, to proceed to the said election.

After receiving and exchanging nominations with the Senate, for persons to fill that office, Messrs. John J. Crittenden, Richard M. Johnson, John Rowan, and Charles A. Wickliffe being on nomination—the house proceeded to the said election, and to a vote between the candidates, which was as follows:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoun, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. Baker, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Dawson, Fields, Hall, Hardy, Haynes, Hobbs, A.

Johnson, E. L. Johnson, Lackey, Lewis, Mize, Patterson, Phelps, Robb, Sisk, Speedsmith, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—29.

For Mr. Rowan—Messrs. B. Allen, Barrett, Churchill, Copeland, Dyer, Grigsby, Grundy, Guthrie, Heady, Henderson, James, McAfee, W. N. Marshall, Murray, Norvell, Preston, Roberts, Stotts, Tomlinson—19.

For Mr. Wickliffe—Mr. Sprigg—1.

A committee was then appointed, on the part of this house, to meet a committee from the Senate, to compare the joint vote.

The said committee then retired, and after a short time returned, when the committee reported that the joint vote stood thus:

For Mr. Crittenden. Johnson. Rowan. Wickliffe.

68.	48.	20.	1.
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No one on the nomination having obtained a majority of all the votes given, the house then proceeded to a second vote, which stood thus:

For Mr. Crittenden—Messrs C. Allan, Anderson, Beall, Butler, Calhoun, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. Johnson—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Copeland, Dawson, Fields, Grundy, Guthrie, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Norvell, Patterson, Phelps, Preston, Robb, Sisk, Speedsmith, Stotts, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—42.

For Mr. Rowan—Messrs Churchill, Dyer, Grigsby, Murray, Roberts, Sprigg and Tomlinson—7.

For Mr. Wickliffe—None.

The same committee again retired, and after a short time returned, and reported that the joint vote stood thus:

For Mr. Crittenden Johnson. Rowan. Wickliffe.

68.	60.	9.	0.
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No one on nomination having obtained a majority of all the votes given, the house proceeded to take a third vote, which stood thus:

For Mr. Crittenden—Messrs C. Allan, Anderson, Beall, Butler, Calhoun, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead,

New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. Johnson—Messrs. B. Allen, Baker, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Grundy, Guthrie, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Sisk, Speedsmith, Stotts, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—43.

For Mr. Rowan—Messrs. Barrett, Dyer, Grigsby, Roberts, Sprigg and Tomlinson—6.

For Mr. Wickliffe—None.

The same committee again retired, and after a short time returned, and reported the joint vote to stand thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	62.	7.	0.

No one on nomination having obtained a majority of all the votes given, the house proceeded to take a fourth vote, which stood thus:

For Mr. Crittenden—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girtin, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. Johnson—Messrs. B. Allen, Baker, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Guthrie, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—45.

For Mr. Rowan—Messrs Barrett, Grigsby and Roberts—3.

For Mr. Wickliffe—Mr. Sprigg—1.

The same committee again retired, and after a short time returned, and reported the joint vote to stand thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	64.	4.	1.

No one on nomination having obtained a majority of all the votes given, the house proceeded to take a fifth vote, which stood thus:

[JAN. 5]

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Guthrie, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—46.

For Mr. ROWAN—Messrs. Grigsby, Roberts and Sprigg—3.

For Mr. WICKLIFFE—None.

The same committee again retired, and after some time returned, when the joint vote was reported to stand thus:

For Mr. Crittenden:	Johnson.	Rowan.	Wickliffe.
68.	64.	3.	2.

And then the House adjourned.

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### WEDNESDAY, JANUARY 5, 1831.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act to establish an election precinct in the county of Washington.

An act to establish the town of Moscow, in Hickman county, and to incorporate a seminary of learning in said town, and for other purposes.

An act to authorize James Jones to build a mill dam across the south fork of Little Barren river.

An act to give additional powers to the Trustees of the town of Shelbyville.

An act to add a part of Pulaski county to the county of Wayne.

An act for the benefit of James F. Robinson and others.

Their disagreement to bills which originated in this house, of the following titles:

An act for the benefit of Robert S. Brashears.

An act for the benefit of Elizabeth Barnes.

Their concurrence in the amendments made by this house to a bill which originated in the Senate, of the following title:

An act to amend an act to establish an election precinct in Green county, approved 16th December, 1829.

And the passage of bills which originated in the Senate, of the following titles:

An act for the relief of the Commissioners of the Lunatic Asylum, and for other purposes.

An act to amend the law in relation to keeping public roads in repair.

An act to improve certain roads in Caldwell county.

An act to provide for the opening of a road from Frankfort to King's ferry, on the Ohio river, by the way of Newcastle, in Henry county.

An act for the benefit of the actual settlers west of the Tennessee river—and

An act to amend the laws in relation to guardians.

1. Mr Guthrie presented the petition of the managers of the Middletown Male and Female Orphan Asylum, praying an appropriation in aid of the objects of said institution.

2. Mr Murray presented the petition of sundry citizens of Calloway county, praying the donation of a quarter section of land to Aaron Hamby.

3. Mr James presented the petition of Frances Reynolds and Thomas Stokes, praying the repeal of an act of Assembly, approved January 3d, 1825, "for the benefit of said Frances Reynolds," and to permit said Stokes to enter the quarter section of land granted by said act to said Frances Reynolds.

Which petitions were severally received, read and referred: the first, to the committee of ways and means; the second, to the committee of claims; and the third, to the committee for courts of justice.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee of courts of justice have, agreeable to order, had under consideration sundry petitions to them referred, and have come to the following resolutions:

1. *Resolved*, That the petition of the heirs of Larkin Rice, praying the passage of a law, authorizing a grant to issue to them for a headright claim, in the name of Barnabas Wing, be rejected.

2. *Resolved*, That the petition of W. L. Palmer, praying a change of venue, on a charge of perjury, from the county of Warren, be rejected.

3. *Resolved*, That the petition of Samuel K. Friend, praying for the passage of a law to enforce a parol contract, for real estate, be rejected.

4. *Resolved*, That the petition of the committee of Mary and Margaret Banta, idiots, praying for the passage of a law to authorize the sale of their real estate, be rejected.

5. *Resolved*, That the petition of the administrators of John Maddox, deceased, praying for the passage of a law to authorize the sale of a lot in the town of Stanford, be rejected.

Which being twice read, the first, third, fourth and fifth resolutions were concurred in, and the secend laid on the table.

Mr Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend the several laws against unlawful gaming, reported the same without amendment.

*Ordered*, That the said bill be recommitted to a select committee of Messrs Turner, Ewing, Chambers and New.

Mr Allen, from the committee of ways and means, made the following report:

The committee of ways and means, in obedience to a resolution of the House of Representatives, requiring said committee to ascertain the amount of stock held by the State in the Bank of Kentucky and the Bank of the Commonwealth of Kentucky, deducting therefrom the deficit in the Treasury at the end of the last fiscal year, report, that—

The amount of stock subscribed by the State in the Bank of Kentucky, is	\$596,700
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Distribution of said stock, and paid over to Commonwealth's Bank,	<u>387,855</u>
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	\$208,845
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Anticipated loss on the real estate belonging to the Bank of Kentucky,	\$217,666 23
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Ditto on debts due and from all other sources,	<u>272,500</u>
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	\$490,166 23
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Surplus profits, as per President's report,	\$274,149 50
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Supposed gain by loss of notes,	<u>20,000</u>
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	294,149 50
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Total loss,	\$196,016 73
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State's proportion of the above estimated loss,	<u>50,719 50</u>
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Balance of State stock in the Bank of Kentucky,	<u>\$158,125 50</u>
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Amount of stock subscribed by the State in the Bank of the Commonwealth,	\$572,393 63
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Probable loss on debts due said Bank,	\$101,042 33
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Ditto on real estate,	15,762 40
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Ditto at Branches, by Cashiers,	58,258 19
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	175,062 92
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Amount of Literary Fund, in Commonwealth's Bank,	\$397,330 71
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	140,917 44
--	------------

	\$538,248 15
--	--------------

Amount of deficit at the Treasury, on the 10th day of October, 1830,	83,422 06
Balance of State stock in Commonwealth's Bank, Ditto in Bank of Kentucky, (as above,) . . . . .	\$454,826 09 158,125 50
Total amount of stock in Bank of the Commonwealth and Bank of Kentucky, . . . . .	<u>\$612,951 59</u>

The committee would remark, that in addition to the above sums, which they believe the State will ultimately realise from their stock invested in the two Banks, that they believe, upon investigation, it will be found that the State is justly entitled to a large portion of the two hundred and seventy-four thousand dollars which has been reserved as surplus profits, as the greater portion of said profits has accrued since the surrender of a considerable amount of Bank stock by individuals; and the committee are of opinion, that the stock surrendered can have no claim on the profits arising after such surrender. But the committee, not having the information necessary to make a satisfactory estimate of the amount of these profits to which the State is entitled, would recommend the adoption of the following resolution:

*Resolved*, That the President and Directors of the Bank of Kentucky report to the next Legislature the amount of the surplus profits and losses of the Bank, in such manner as will show what stock is entitled to said profits.

*Ordered*, That the public printers forthwith print one hundred and fifty copies of said report, for the use of the members of this house.

The following bills were reported from the committee of ways and means, read the first time, and ordered to be read a second time, viz:

1. A bill to amend the revenue laws.
2. A bill to amend the laws now in force in relation to idiots  
—and
3. A bill to amend the laws in relation to guards for criminals in jails, and for other purposes.

And thereupon, the rule of the house, constitutional provision and second reading of the first and second bills having been dispensed with; the first was referred to a committee of the whole house for Friday, the 7th instant; and the second, to the committee for courts of justice.

The house then, after exchanging messages with the Senate, proceeded to take a vote for the election of a Senator in Congress, from and after the 3d day of March next, in the place of the Hon. John Rowan, whose term of service will expire on that day, between the persons on nomination, before the houses on yesterday, which was as follows:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Guthrie, Hall, Hardy, Haynes, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Robb, Sisk, Speedsmith, Stotts, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—41.

For Mr. ROWAN—Messrs. Dyer, Grigsby, Grundy, Heady, Preston, Roberts and Tomlinson—7.

For Mr. WICKLIFFE—Mr. Sprigg—1.

The committee appointed for that purpose on yesterday, again retired, to meet the committee from the Senate, and compare the joint vote; and after a short time returned, and reported that the joint vote stood thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
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68.	50.	18.	1.
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No one having obtained a majority of all the votes given, the house proceeded to take a second vote, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. Barlow, Brown, Chiles, Haynes, E. L. Johnson, Mize, Sisk, Tompkins, Whittington, W. J. Williams and Wortham—11.

For Mr. ROWAN—Messrs. B. Allen, Baker, Barrett, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grigsby, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sprigg, Stotts, Tomlinson, Ward and D. White—37.

For Mr. WICKLIFFE—Speedsmith—1.

The same committee again retired to compare the joint vote, and after a short time returned, and reported the joint vote to stand thus:

For Mr. Crittenden. Johnson. Rowan. Wickliffe.  
68. 19. 49. 1.

No one on nomination having obtained a majority of all the votes given, the house proceeded to take a third vote between those on nomination, when the same stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—49.

For Mr. JOHNSON—Messrs Barlow, Brown, Cassidy, Haynes, A. Johnson, Mize, Sisk and Whittington—8.

For Mr. ROWAN—Messrs Churchill, Lewis and Roberts—3.

For Mr. WICKLIFFE—Messrs B. Allen, Baker, Barrett, Burns, Chiles, Chowning, Copeland, Dawson, Dyer, Fields, Grigsby, Grundy, Guthrie, Hall, Hardy, Heady, Helm, Henderson, Hobbs, James, E. L. Johnson, Lackey, McAfee, W. N. Marshall, Murray, Norvell, Patterson, Phelps, Preston, Robb, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, W. J. Williams and Wortham—39.

The same committee again retired to compare the joint vote, and after a short time returned, and reported that the joint vote stood thus:

For Mr. Crittenden. Johnson. Rowan. Wickliffe.  
67. 20. 4. 46.

No one having yet obtained a majority of all the votes present, the house proceeded to take a fourth vote between those on nomination, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. Haynes and Whittington—2.

For Mr. ROWAN—Mr. Roberts—1.

For Mr. WICKLIFFE—Messrs B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grigsby, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb,

Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, W. J. Williams and Wortham—46.

The same committee again retired, to compare the joint vote, and after a short time returned, and reported that the joint vote stood thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	17.	2.	50.

No one on nomination having yet obtained a majority of all the votes present, the house proceeded to take a fifth vote, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. B. Allen, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Grundy, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Patterson, Phelps, Preston, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—40.

For Mr. ROWAN—Messrs. Barrett, Dyer, Grigsby and Roberts—4.

For Mr. WICKLIFFE—Messrs. Baker, Guthrie, Norvell, Robb and Sprigg—5.

The same committee again retired to compare the joint vote, and after some time returned, and reported the joint vote to stand thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	51.	5.	13.

No one having obtained a majority of all the votes given, the house proceeded to take a sixth vote, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. JOHNSON—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Copeland, Dawson, Dyer, Fields, Grundy, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A.

Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Robb, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—43.

For Mr. Rowan—Messrs. Grigsby and Roberts—2.

For Mr. Wickliffe—Messrs. Churchill, Guthrie, Preston and Sprigg—4.

The same committee again retired to compare the joint vote, and after some time returned, when the joint vote was reported to stand thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	60.	3.	6.

No one on nomination having obtained a majority of all the votes given, the house proceeded to take a seventh vote, which stood thus:

For Mr. Crittenden—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Valandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr. Johnson—Messrs. B. Allen, Baker, Barlow, Brown, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Hall, Hardy, Haynes, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, Mize, Norvell, Patterson, Phelps, Robb, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—40.

For Mr. Rowan—Messrs Barrett, Grigsby, W. N. Marshall, Murray and Roberts—5.

For Mr. Wickliffe—Messrs. Burns, Guthrie, Preston and Sprigg—4.

The same committee again retired to compare the joint vote, and after a short time returned, when the committee reported the joint vote to stand thus:

For Mr. Crittenden.	Johnson.	Rowan.	Wickliffe.
68.	57.	6.	6.

No one on nomination having obtained a majority of all the votes—a message was then received from the Senate, announcing the name of John Breathitt, as a candidate for the office of Senator in Congress.

Whereupon, he was nominated by Mr. John B. Preston.

The house then proceeded to take an eighth vote, between the candidates on nomination, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, Wilson and Yantis—49.

For Mr. BREATHITT—Messrs. B. Allen, Baker, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Sisk, Speedsmith, Stotts, Tomlinson, Tompkins, Ward, D. White, S. Williams, W. J. Williams and Wortham—44.

For Mr. JOHNSON—Messrs. Haynes and Whittington—2.

For Mr. ROWAN—Messrs. Barrett, Grigsby and Roberts—3.

For Mr. WICKLIFFE—Mr. Sprigg—1.

The same committee again retired to compare the joint vote, and after some time returned, and announced the same to stand thus:

For Mr. Crittenden.	Breathitt.	Johnson.	Rowan.	Wickliffe.
67.	61.	5.	3.	1.

And then the House adjourned.

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#### THURSDAY, JANUARY 6, 1831.

1. Mr Calhoon presented the petition of the justices of the peace of Hancock county, praying that a law may pass authorizing the county court of said county to increase the county levy in order to pay off the claims against it.

2. Mr James presented the report of the commissioners appointed under an act of Assembly, approved January 23, 1829, “to mark and view a way for a road from the town of Columbus to the state line, in a direction to Paris, in Tennessee”—the petition of the said commissioners praying the establishment of said road as reported; and the remonstrance of sundry citizens of Graves and Hickman county, against the establishment of said road as reported, and praying for the appointment of other commissioners to view and mark said road in another direction.

3. Mr Thomas presented the petition of Martha Flood, praying that a law may pass, appointing Charles Glover commissioner, and authorizing him to sell a tract of land, (which was

purchased with the money raised by a sale of her dower in lands in Virginia,) and to vest the proceeds in other lands.

4. Mr Wortham presented the petition of sundry citizens of Grayson county, praying a change in a part of the road between Litchfield and Hartford; and the remonstrance of sundry other citizens of said county against such change.

5. Also, the petition of John B. Shepherd and others, praying that a law may pass to allow him to sell a small tract of land, as administrator of Jonathan R. Williams, deceased.

6. Mr Hunton presented the petition of Fouchee T. Taylor, administrator of William Warren, praying that a law may pass, authorizing him to sell two slaves belonging to the estate of said Warren.

7. Mr Murray presented the petition of Henry Darnall, praying that a law may pass, giving him a right to enter so much land as will make up the full quantity entered by him, which, upon survey, proves to be forty-five poles less than he has paid for; or that the price of the number of acres which are deficient may be refunded him.

8. Mr Guthrie presented the petition of sundry commission merchants and auctioneers, of the city of Louisville, praying a modification of the tax upon sales at auction, groceries, foreign goods, &c.

9. Mr Harris presented the petition of the heirs of John Ford, praying the passage of a law, authorizing the sale of a tract of land to pay the debts of said Ford.

10. Mr Burns presented the remonstrance of sundry citizens of Carlisle, against the passage of a law, vesting in McIlvain and Smith a part of a street in said town.

11. Mr Strother presented the petition of the Trustees of the Gallatin Academy, praying the passage of a law, appropriating the fines and forfeitures in Gallatin county to the use of said seminary.

12. Mr G. W. Williams presented the petition of E. Mountjoy and wife, praying for a divorce.

13. Mr Chambers presented the petition of the Trustees of the town of Maysville, praying that said town and a portion of the country around it, may be exempted from the provisions of an act of Assembly, entitled, "an act to amend the law in relation to opening and repairing the public roads in certain counties, approved January 29th, 1830."

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, third, fifth, sixth, eighth and ninth, to the committee for courts of justice; the second, to the committee on internal improvement; the fourth and thirteenth, to the committee of propositions and grievances; the tenth, to the same committee to which the petition of McIlvain

and Smith, upon that subject was referred; the seventh, to the committee of claims; the eleventh, to the committee on education; and the twelfth, to the committee of religion.

Mr Yantis, from the select committee, appointed for that purpose, made the following report:

Report of the committee appointed to make examination respecting that part of the line between the states of Kentucky and Tennessee, adjoining the counties of Simpson, Trigg, &c.

Your committee will state that they have carefully and minutely examined the respective claims of the States of Tennessee and Kentucky, respecting those portions of territory, in the counties of Simpson and Trigg, the boundary line of which seems to be unsettled, and somewhat the subject of dispute.

To come to any correct and definite conclusion, it of course became necessary for your committee to have recourse to such testimony as they could procure respecting the subject. This testimony consisted of the plat and report of Messrs. Bright and Munsell, the late commissioners appointed by the executive authority of the respective states above named, "to ascertain, run and plainly mark the dividing line between the states of Tennessee and Kentucky, so far as that line concerns the counties of Trigg, Simpson &c." In addition to this evidence, we had also the explanatory testimony of several gentlemen, whose knowledge of the subject enabled them to give us every necessary information respecting that part of Walker's line, adjoining the aforesaid counties, as the same is reputed, understood, and acted upon, by the said states, their respective officers and citizens.

It seems that the aforesaid commissioners, in the discharge of the duties assigned them, by their late appointment, "to run and plainly mark said line," after having found and retraced the same from the South-East corner of Allen county to the county of Simpson, and along said county till they came to a certain beech tree in the line near Drake's creek, found that the said reputed line here took an off-set S.  $62^{\circ}$  W. to a certain black jack, standing in the road leading from Nashville to Lexington, and from thence taking another off-set northwardly to a certain gum tree, standing in Walker's original line.

It appears that the territory of country included in this triangular space, between the beech, black jack and gum, contains some ten or fifteen families, and has always been considered as belonging to Kentucky. The remonstrance of those citizens to the Legislature of Kentucky, in which they loudly complain of the danger which they conceive themselves to be subjected to, of being stricken from the state to which they have heretofore belonged; whose laws and government they know, and have ever recognized and obeyed, and solemnly protest against being expatriated from the country of their choice, has been laid before, and examined by us.

Your committee are unanimously of opinion that the State of Tennessee ought to recognize the right of Kentucky to retain this portion of territory; and that it would be equally improper and unjust for Kentucky to relinquish or for Tennessee to claim the same.

The above named triangular line has ever been reputed, understood and acted upon, as determining the territorial limits of the two states, by the citizens of the country. It has always been known as the line separating the jurisdiction of the respective states. The civil rights of those citizens have always been subject to, and determined by the laws of Kentucky. Many of these are perhaps yet pending and unsettled, consequently great inconvenience, not to say injustice to those people, would be the result of detaching them from Kentucky. We trust that this will not be done.

With respect to that part of the line adjoining Trigg county, which also seems to be unsettled, it appears that the aforesaid commissioners found and plainly marked Walker's original line, from the South-East corner of Trigg county till within about one mile of Cumberland river, where it terminated; but the commissioners extended the line according to its course, at the termination across to the Tennessee river. It appears that they then ran due north from the point where they struck the Tennessee river, until they intersected another line, said to have been run by Walker eastward, by way of correction to his original line, on the East of Cumberland river.

The citizens west of the Cumberland river, included between these two lines appear to have always been considered as belonging to the state of Tennessee, and they have ever been subject to the jurisdiction of her laws.

Your committee are of opinion that this part of the country, which includes the greatest portion of doubtful territory, ought still to belong to Tennessee; making the lower or north line, between the rivers Cumberland and Tennessee, the permanent division line between the states, so far as respects the country between the said rivers. But your committee are unanimously of opinion that the original line of Walker's, traced and marked by the commissioners, till within about one mile of the Cumberland river, and by them extended to the river, in Trigg county, ought to be established and recognized as the division line between the two states.

It appears that most of the citizens north of that line have heretofore considered themselves as Kentuckians, and belonging to Trigg county. It appears also, that those citizens protest against being detached from Kentucky.

Your committee are, therefore, of opinion that Walker's original line, as marked by said commissioners, to Cumberland river, thence down the middle of said river to the line run by Walker eastwardly, from the Tennessee river, by way of correction to his line east of the Cumberland river, and thence with said line to the Tennessee river, ought to be recognised and established by the two states as the permanent division line of their territory and jurisdiction. And they would recommend that the

proper authorities of the state of Tennessee be requested to recognise and co-operate with the proper authorities of the State of Kentucky, in establishing the line as marked out by the above named commissioners, as appears from their plat and report, and as qualified by this report, to be known and acted upon in future, as the permanent division line, separating the territory, citizens and civil jurisdiction of the respective states. And your committee would further recommend that provision be made by law, (in the event of the concurrence of the states respectively, in the establishment of the said line as above recommended,) for the interests and rights to land adjoining said line, to be tried and governed by the laws of Kentucky or Tennessee, as those persons deriving title to lands from those states respectively may be thrown by the location of the permanent line between the said states.

*Resolved*, That the Governor of this Commonwealth, be directed to transmit to the proper authorities of the State of Tennessee a copy of this report, requesting a recognition of the line which has been ascertained, run, and plainly marked, by Bright and Munsell, (the late commissioners appointed by the executive authority of the respective states for that purpose,) as qualified by this report, as the permanently established line of division between the states of Tennessee and Kentucky.

*Resolved*, That the Governor of this Commonwealth be directed, in case the State of Tennessee fails or refuses to accede to such proposal, to cause the said line to be settled and adjusted by the appointment of arbitrators, by the executive authority of the respective states, or otherwise, as he may deem most proper.

And thereupon, the rule of the house having been dispensed with, the said report and resolutions were taken up, twice read and concurred in.

*Ordered*, That the clerk carry the said report and resolutions to the Senate and request their concurrence.

Mr Guthrie, from the committee for courts of justice, to whom was referred "a bill for the benefit of the mechanics in the city of Louisville," reported the same with an amendment.

Which being twice read, was concurred in. And the said bill as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr J. T. Morehead, from the committee on internal improvements, to whom was referred bills of the following titles, viz:

1. A bill to amend an act entitled, an act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

2. A bill to appropriate \$2000, for the purpose of improving the navigation of the Rolling Fork of Salt river.

3. A bill to improve the navigation of Nolin—reported the same, with amendments to the two former.

Which being twice read, were concurred in; and the said bills were ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the first bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr Heady, from the committee on military affairs, made the following report:

The committee on military affairs, to whom was referred so much of the Governor's message as relates to the militia of this Commonwealth, have had the same under consideration, and beg leave to report, that in their opinion the legislature have not the power to reduce the strength of the militia, as suggested in the message, that power being vested in the Congress of the United States, and Congress having acted on the subject and required the enrolment of all able bodied men, between the ages of eighteen and forty-five; therefore they deem it unnecessary to enquire into the expediency, and pray to be discharged from the further consideration of the message.

Which being twice read, was concurred in.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act to incorporate the Bayou de Chein Navigation Company—and.

An act providing for the appointment of Commonwealth's attorneys—and

Their disagreement to a bill which originated in this house, entitled, an act for the benefit of Uriah Ecton.

Mr. Love moved the following resolution:

*Resolved*, That the committee for courts of justice be instructed to report a bill extending and continuing the contract (for the term of five years longer,) between Joel Scott and the state, in relation to the penitentiary.

Which being twice read, was adopted.

Mr McAfee, from the select committee, to whom was referred a bill to provide for the improvement of the road leading from the forks of Benson, Franklin county, passing through

Lawrenceburg, Salvisa and Harrodsburg, to Danville, and from Harrodsburg to Lebanon, in Washington county, and for other purposes, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Heady, from the committee on military affairs—1. A bill to amend the militia laws.

By Mr Guthrie—2. A bill to amend an act requiring certain duties of the clerks in this Commonwealth, approved January 12, 1830.

By Mr Jackson—3. A bill to allow additional justices and constables to certain counties.

By Mr Wilson—4. A bill regulating the taking of recognizances for keeping the peace.

By Mr Patton—5. A bill to repeal an act entitled, an act to encourage the diffusion of education by the establishment of an uniform system of public schools, so far as regards the counties of Christian and Madison.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second and third bills having been dispensed with, the first was committed to a select committee of Messrs Churchill, Roberts, Yantis, Guthrie and New; and the second and third were ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the second and third bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

*Ordered*, That the constitutional provision and first and second readings of the following bills from the Senate be dispensed with, viz:

An act to amend the law regulating conveyances—and

An act to establish a new judicial district—and that the said bills be committed to the committee for courts of justice.

An engrossed bill entitled, an act to change the time of holding circuit courts in the fourth judicial district, and for other purposes, was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

The house then, after exchanging messages with the Senate, proceeded to take a vote for a Senator in Congress, between the candidates on nomination, before the two houses on yesterday, which was as follows:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoun, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr BREATHITT—Messrs B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—46.

For Mr. JOHNSON—Messrs. Chiles and Haynes—2.

For Mr. ROWAN—Mr. Grigsby—1.

For Mr. WICKLIFFE—None.

The committee on the part of this house, then retired, to meet the committee from the Senate, and compare the joint vote; and after some time returned, and reported that the joint vote stood thus:

For Mr. Crittenden. Breathitt. Johnson. Rowan. Wickliffe.  
68. 64. 4. 1. 0.

No one on the nomination, having obtained a majority of all the votes given, the house proceeded to take a second vote, which stood thus:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Calhoun, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith,

Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr BREATHITT—Messrs B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—46.

For Mr. JOHNSON—Messrs. Chiles and Haynes—2.

For Mr. ROWAN—Mr. Grigsby—1.

For Mr. WICKLIFFE—None.

The same committee again retired to compare the joint vote, and after some time returned, and reported the same to stand thus:

For Mr. Crittenden. Breathitt. Johnson. Rowan. Wickliffe.  
68                66.                2.                1.                0.

No one on the nomination having received a majority of all the votes given, the house proceeded to take a third vote between the candidates, which was as follows:

For Mr. CRITTENDEN—Messrs C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Girton, Harris, Hayes, Helm, Hickman, Hunton, Jackson, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—50.

For Mr BREATHITT—Messrs B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Dyer, Fields, Grigsby, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—47.

For Mr. JOHNSON—Messrs. Chiles and Haynes—2.

For Mr. ROWAN—None.

For Mr. WICKLIFFE—None.

The same committee again retired to compare the joint vote, and after a short time returned, and reported that the joint vote stood thus:

For Mr. Crittenden. Breathitt. Johnson. Rowan. Wickliffe.  
68.                65.                4.                0.                0.

No one on the nomination having received a majority of all the votes given:

On motion—

*Resolved*, That this house will not at present proceed further in said election; and that Mr Preston inform the Senate thereof.

A bill to permit the citizens of Hickman county to locate their seat of justice by vote, was read a second time.

It was then moved and seconded to postpone the further consideration of said bill until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs James and Churchill, were as follows, viz:

YEAS—Messrs. C. Allan, Anderson, Baker, Barlow, Barrett, Beall, Brown, Burns, Chambers, Chiles, Churchill, Colglazer, Colyer, Cope-land, Crutchfield, Curd, Dawson, Ewing, Gaines, Gass, Girton, Grun-dy, Hall, Harris, Hayes, Haynes, Helm, Hickman, Hobbs, Jackson, A. Johnson, Love, J. K. Marshall, Mize, P. Morehead, Patrick, Pierce, Ray, Rodes, Russell, Speedsmith, Spalding, Stewart, Stout, Strother, Thomas, Tompkins, True, Turner, Vallandigham, A. S. White, Whit-tington, S. Williams, W. J. Williams and Yantis—54.

NAYS—Messrs B. Allen, Cassidy, Dyer, Fields, Guthrie, Hardy, Heady, Henderson, Hunton, James, E. L. Johnson, Lackey, McAfee, McNary, W. N. Marshall, Murray, Norvell, Patterson, Patton, Robb, Sisk, Stotts, Tomlinson, Ward, D. White and Wortham—27.

The following bills were severally read a second time:

1. A bill to amend an act entitled, an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830.

2. A bill to confirm an order of the county court of Perry county, allowing Jeremiah Combs to build a mill dam across the north fork of the Kentucky river.

3. A bill to permit James Lewis to build a mill-dam across the north fork of the Kentucky river.

4. A bill for the benefit of Nicholas Keating and Hawkins Gregory.

5. A bill to appoint commissioners to settle with the trustees of the Estill Seminary lands, and for other purposes.

6. A bill to reduce the number of musters in this Commonwealth, and for other purposes.

7. A bill for the benefit of Thomas Goodwin.

8. A bill to provide for the improvement of the road from the Estill county line by way of Perry court house to the Virginia state line—and

9. A bill to amend the law concerning water and grist mills.

The first was committed to the committee on internal improvement; the sixth, to a select committee of Messrs Church-

ill, Roberts, Yantis, Guthrie, New, Beall, Ewing, Patton and Ward; the seventh, to the committee of propositions and grievances; and the second, third, fourth, fifth, eighth and ninth, (the eighth having been amended at the clerk's table,) were severally ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the second, third, fourth and fifth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

On motion of Mr Hardy:

*Ordered*, That the vote by which a bill to add a part of Galatin county to the county of Grant, was rejected, be reconsidered, and that the same be recommitted to a select committee of Messrs Vallandigham, Helm, Yantis and Strother.

*Ordered*, That a bill to alter the mode of summoning jurors be recommitted to a select committee of Messrs Rudd, Ewing, Patton and Churchill.

And then the House adjourned.

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### FRIDAY, JANUARY 7, 1831.

1. Mr Guthrie presented the petition of the heirs of Gabriel Overstreet, praying that a law may pass authorizing the sale of certain real estate belonging to said heirs.

2. Mr Calhoon presented the petition of sundry citizens of Breckenridge county, praying an appropriation to aid in the improvement of the road from Cloverport to Bowlinggreen.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee for courts of justice; and the second, to the committee on internal improvement.

Mr Barlow, from the joint committee of enrolments, reported, that the committee had examined sundry enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to appropriate some of the vacant lands of Casey county to improve the road leading from the town of Liberty to where the road crosses the Rolling Fork, near Timothy Goode's, in a direction to Springfield, and for other purposes.

An act to authorize certain county courts to permit gates to be erected across certain roads.

An act for the benefit of Thomas Griffey.

An act to authorize the county court of Christian county to open a road from Hopkinsville to Edward Wooldridge's coal banks, in said county.

An act to authorize persons prosecuted for felony in the county of Hancock to be confined in the jail of Breckenridge.

An act for the benefit of the sheriff of Edinondson county.

An act for the benefit of Lucy and John Hackley.

An act for the benefit of the sheriff of Boone county.

An act to incorporate a Turnpike road Company from Louisville to Bardstown, and on to Springfield, and to Lebanon.

An act to authorize James Jones to build a mill dam across the south fork of Little Barren river.

An act to establish an election precinct in the county of Washington.

An act to give additional powers to the Trustees of the town of Shelbyville.

An act to establish the town of Moscow, in Hickman county, and to incorporate a seminary of learning in said town, and for other purposes.

An act to add a part of Pulaski county to the county of Wayne.

An act for the benefit of James F. Robinson.

An act to divorce Elizabeth Faanan from her husband, Joseph Fannan.

An act for the benefit of James Herrod.

An act to amend an act entitled, "an act to organize two Fire Companies in the town of Lexington, and for other purposes."

An act to amend an act entitled, "an act for the benefit of the surveyor of Hopkins county."

An act to amend the several laws establishing and regulating the town of Covington.

An act for the benefit of Ann Eliza Nelson.

An act to amend an act to establish an election precinct in Green county, approved 16th December, 1829, and to establish election precincts in sundry other counties—and

An act for the benefit of Joshua Cates

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

A message was received from the Senate, announcing the passage of a bill, which originated in this house, entitled, an act to change the venue for the trial of David Turnham—with an amendment.

And the adoption of a resolution to postpone the election of a Senator in Congress.

Mr Henderson moved the following resolution:

*Resolved by the House of Representatives*, That the Governor be requested to order a federal salute to be fired on the public

square, on Saturday the 8th instant, at sunrise; in commemoration of the glorious victory at New Orleans, and of the brave officers and troops who distinguished themselves on that day.

Which being twice read, it was then moved and seconded that the main question, viz: the adoption of said resolution, be now put, which was decided in the affirmative.

Mr Turner from the majority on the vote, by which the motion for the previous question was carried, moved for a reconsideration of said question.

It was then moved and seconded at 3 o'clock, P. M. that the house do now adjourn.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs Love and Thomas, were as follows, viz:

YEAS—Messrs. C. Allan, Beall, Butler, Calhoon, Chambers, Colyer, Crutchfield, Curd, Dickson, Dyer, Ewing, Fowler, Gaines, Gass, Grigsby, Harris, Hayes, Haynes, Love, J. K. Marshall, J. T. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Vallandigham, A. S. White, G. W. Williams, Wilson and Yantis—41.

NAYS—Messrs B. Allen, Anderson, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Girton, Grundy, Guthrie, Hall, Hardy, Heady, Helm, Henderson, Hickman, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Rudd, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Turner, Ward, D. White, Whittington, S. Williams, W. J. Williams and Wortham—57.

The question was then taken on reconsidering said vote, which was decided in the negative.

The yeas and nays being required thereon, by Messrs Norvell and Dawson, were as follows:

YEAS—Messrs. C. Allan, Anderson, Beall, Brown, Butler, Calhoon, Chambers, Colyer, Crutchfield, Curd, Dickson, Dyer, Ewing, Fowler, Gaines, Gass, Grigsby, Harris, Hayes, Haynes, Hickman, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Thomas, True, Turner, Vallandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—48.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Girton, Grundy, Guthrie, Hall, Hardy, Heady, Helm, Henderson, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N.

Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Strother, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—49:

The question was then taken on the adoption of said resolution, which was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Henderson and Murray, were as follows, viz:

YEAS—Messrs. B. Allen, Anderson, Baker, Barlow, Barrett, Burns, Cassidy, Chiles, Chowning, Churchill, Copeland, Dawson, Fields, Fowler, Girton, Grundy, Guthrie, Hall, Hardy, Haynes, Heady, Helm, Henderson, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, New, Norvell, Patterson, Phelps, Preston, Rodes, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Turner, Vallandigham, Ward, D. White, Whittington, W. J. Williams and Wortham—55.

NAYS—Messrs. C. Allan, Beall, Brown, Butler, Calhoon, Chambers, Colglazer, Colyer, Crutchfield, Curd, Dickson, Dyer, Ewing, Gaines, Gass, Grigsby, Harris, Hayes, Hickman, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, Patrick, Patton, Pierce, Ray, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—43.

And then the House adjourned.

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SATURDAY, JANUARY 8, 1831.

A message was received from the Senate, announcing the passage of a bill which originated in this house, entitled, an act to extend and alter the terms of certain circuit courts in this Commonwealth—with amendments.

And the passage of bills of the following titles:

An act to repeal an act entitled, an act for the purpose of having the Edmonson county line run from White's to Hunter's, and also to run the line between Edmonson and Barren, approved January 29, 1830.

An act further to regulate the public roads in Washington county.

An act providing for the erecting a tombstone over the grave of the late General John Caldwell, and for other purposes.

An act directing the county courts of the counties through which the state road from Cloverport to Bowlinggreen passes, to appoint surveyors to keep the same in repair—and

An act to amend the law to establish a state road from the mouth of Salt river to intersect the state road from Brandenburg to Bowlinggreen, approved January 15th, 1829.

Mr Yantis, from the select committee to whom was referred the petition of sundry citizens of this Commonwealth, praying that an enquiry may be instituted into the capacity and official conduct of Henry O. Brown, one of the circuit judges of this Commonwealth, moved to be discharged from the further consideration of said petition.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Phelps and Yantis, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Brown, Butler, Calhoon, Cassidy, Chambers, Chowning, Churchill, Colyer, Copeland, Curd, Dawson, Dyer, Ewing, Fields, Fowler, Girton, Grigsby, Grundy, Guthrie, Hall, Hardy, Hayes, Haynes, Heady, Helm, Henderson, Hickman, Hobbs, Jackson, A. Johnson, Lackey, Lewis, Love, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, Murray, New, Patrick, Patton, Pierce, Rodes, Roberts, Rudd, Shanks, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stotts, Stout, Strother, Thomas, Tomlinson, Tompkins, Turner, Ward, A. S. White, D. White, Whittington, G. W. Williams, S. Williams, Wortham and Yantis—75.

NAYS—Messrs. Burns, Chiles, Crutchfield, Gaines, Gass, James, E. L. Johnson, McAfee, McNary, Patterson, Phelps, Preston, Ray, Robb, True, Vallandigham and Wilson—17.

Mr New read and laid on the table the following joint resolution:

1. *Resolved*, by the General Assembly of the Commonwealth of Kentucky, That it is constitutional, politic, and necessary, for the general government to levy duties upon merchandise, the growth or manufacture of foreign countries, for the purpose of protecting and encouraging domestic manufactures.

2. *Resolved*, That it is constitutional and politic, for the general government to appropriate money for the purpose of constructing roads and canals, within the states and territories of this union, for national purposes; and such we view the contemplated road from Maysville to Lexington, and the Louisville and Portland Canal to be.

3. *Resolved*, That the veto of President Jackson upon the bills, to appropriate money for constructing the Maysville and Lexington, and Rockville and Fredericktown, turnpike roads, was a deliberate blow aimed at the system of internal improvement, and a dangerous exertion of executive prerogative.

4. *Resolved*, That the vote of the Hon. George M. Bibb, a Senator in Congress from this state, against the appropriation to the Maysville and Lexington Turnpike road, and against the bill "for the more effectual collection of the impost duties," were palpable and deliberate violations of the known and expressed will of his constituents.

Leave was given to bring in the following bills:

On motion of Mr Baker—1. A bill for the benefit of the sheriff of Calloway county.

On motion of Mr Barlow—2. A bill to amend the law in relation to justices of the peace.

On motion of Mr Brown—3. A bill to amend the laws in relation to the trial of the right of property.

On motion of Mr Copeland—4. A bill to provide for the erection of a bridge across Green river at Munfordsville, in the county of Hart.

On motion of Mr Curd—5. A bill to regulate the guardianship of the children of divorced persons, and for other purposes.

Messrs. Baker, Murray and James were appointed a committee to prepare and bring in the first; Messrs. Barlow, Hardy and Preston, the second; Messrs Brown, Ewing and A. Johnson, the third; Messrs Copeland, Hardy, Helm and Ewing, the fourth; Messrs Curd, Wilson, True, Haynes and Strother, the fifth.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr Speaker*—I am directed by the Governor to lay before this house a message in writing.

And then he withdrew.

Mr Burns, from the select committee, to whom was referred a bill more effectually to prevent swindling, reported the same with an amendment.

Which being twice read, was concurred in.

*Ordered*, That the said bill, as amended, be re-committed to the committee for courts of justice.

Mr Chambers, from the select committee to whom was referred a bill from the Senate, entitled, an act to amend the several acts against unlawful gaming, reported the same with amendments.

It was then moved and seconded to postpone the further consideration of said bill, until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs Chambers and Turner, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. B. Allen, Barrett, Beall, Churchill, Crutchfield, Hall, Hardy, Heady, Helm, Jackson, Love, Mize, New, Norvell, Patterson, Preston, Ray, Shanks, Sisk, Whittington, S. Williams and W. J. Williams—23.

NAYS—Messrs Anderson, Baker, Barlow, Brown, Butler, Burns, Cassidy, Chambers, Chiles, Colglazer, Colyer, Copeland, Curd, Dyer, Ewing, Fowler, Gaines, Grundy, Harris, Hayes, Haynes, Henderson, Hickman, Hobbs, Lackey, McAfee, McNary, P. Morehead, Murray, Patrick, Phelps, Rodes, Robb, Roberts, Rudd, Russell, Smith, Spalding, Stewart, Stotts, Stout, Thomas, Tompkins, Turner, Ward, G. W. Williams, Wilson, Wortham and Yantis—49.

It was then moved and seconded to lay the said bill on the table for the present.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Chambers and Turner, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. B. Allen, Barlow, Barrett, Beall, Churchill, Colyer, Crutchfield, Fowler, Grigsby, Grundy, Hall, Hardy, Haynes, Heady, Helm, Henderson, Hunton, Jackson, Love, Mize, J. T. Morehead, P. Morehead, Murray, New, Norvell, Patterson, Preston, Ray, Robb, Roberts, Russell, Shanks, Sisk, Smith, Sprigg, Tompkins, Whittington, S. Williams, W. J. Williams, Wilson and Yantis—42.

NAYS—Messrs. C. Allan, Anderson, Baker, Brown, Butler, Burns, Cassidy, Chambers, Chiles, Colglazer, Copeland Curd, Dyer, Ewing, Gaines, Harris, Hayes, Hickman, Hobbs, Lacky, McNary, Patrick, Phelps, Rodes, Rudd, Spalding, Stewart, Stotts, Stout, Strother, Thomas, Turner, Ward, G. W. Williams and Wortham—35.

Mr Butler, from the select committee, to whom was referred a bill to amend an act entitled, an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be engrossed and read a third time on Monday next.

An engrossed bill entitled, an act to improve Muldrow's hill, on the road leading from Lexington to Nashville, was committed to the committee on internal improvement.

Mr Dyer, from the select committee, to whom was referred a bill to alter the mode of summoning jurors, reported the same with an amendment.

Which being twice read, was concurred in. An amendment having been offered to said bill:

*Ordered*, That the said bill, and amendment, be recommitted to the committee for courts of justice.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Turner—1. A bill to regulate certain officers fees in this Commonwealth, and for other purposes.

By Mr Gaines, from the committee on internal improvement—2. A bill to amend an act entitled, an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes, approved February 8, 1819.

By Mr Speedsmith—3. A bill to amend the penal laws.

By Mr B. Allen—4. A bill to regulate the constables districts within the county of Henry, and reduce the number to eight.

By Mr Anderson—5. A bill to compel Wm. Feland, a justice of the peace for Warren county, to surrender up his records and papers to Thomas S. Denton, justice of the peace in Barren county.

By Mr Chiles—6. A bill for the benefit of McIlvain and Smith.

By Mr Churchill—7. A bill to authorize the publishing advertisements in the Louisville Journal.

By Mr Crutchfield—8. A bill to extend the terms of the Oldham and Spencer circuit courts—and

By Mr Dawson—9. A bill for the benefit of the citizens of the town of Scottville, in the county of Allen.

Which bills were severally received, and read the first time: the first was laid on the table until the first day of June next, and the second, third, fourth, fifth, sixth, seventh, eighth and ninth, ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of said bills, (with the exception of the third bill, which was committed to the committee for courts of justice,) having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

And then the House adjourned.

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MONDAY, JANUARY, 10, 1831.

1. Mr James presented the petition of Thomas Smith, of Graves county, praying a donation of a quarter section of land on account of his age and revolutionary services.

2. Also, the petition of sundry citizens of McCracken county, praying that a law may pass, to annul and set aside the acts

and proceedings of the county court of said county at their last November term, in laying their county levy and allowing claims against said county, and to authorize said court to lay their levy and hold a court for allowing claims in March next.

3. Mr Gaines presented the petition of the widow and heirs of Martin Lantz, deceased, praying that a law may pass, to authorize the sale of a tract of land, to enable them to pay the debts due by the decedant.

4. Mr Hayes presented the petition of the Baptist church in Mountsterling, praying the passage of a law to authorize them to sell and convey a lot of ground in said town.

5. Mr Helm presented the petition of Margaret Vertrees, widow of Joseph Vertrees, deceased, praying the passage of a law authorizing her to relinquish to her children her interest, (being an estate for life,) in and to the real and personal estate of her husband, according to the provisions of his will.

6. Mr Gaines presented the petition of sundry citizens of Boone county, praying that a law may pass, to release the estate of Col. B. Rogers, deceased, from any responsibility on account of his bond given to the Commonwealth, for the safe-keeping and return of sixty stand of arms, delivered to him while acting as captain of an independent company in said county.

7. Mr Tomlinson presented the petition of Obadiah Garnett, of Mercer county, praying that a law may pass to authorize the conveyance to him of the interest of the infant children of Allen Rains, heirs of William Terhune, in and to a tract of land purchased by said Garnett.

Which petitions were severally received, the reading thereof dispensed with, and referred; the first, to the committee of claims; the second, third, fifth and seventh, to the committee for courts of justice; the fourth, to a select committee of Messrs Hayes, C. Allan and Thomas; and the sixth, to the committee of propositions and grievances.

Mr McAfee, from the committee of propositions and grievances, made the following report:

The committee of propositions and grievances, have had under their consideration the petition of sundry citizens of Grayson county, praying for the alteration of the state road leading from Elizabethtown, by the way of Litchfield and Hartford, to Princeton, in Caldwell county, and have come to the following decision:

*Resolved*, That said petition be rejected.

Also, the petition of sundry citizens of Maysville, praying to be relieved from the operations of the act of Assembly concerning public roads, passed 29th January, 1830, so far as relates to said town, and have come to the following resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr. Yantis, from the committee of privileges and elections made the following report:

The committee of privileges and elections have, according to order, had under consideration the returns of the several sheriffs of this Commonwealth, and have agreed to the following report, to-wit:

It appears to this committee, that the following gentlemen were returned as duly elected, to serve as members of the House of Representatives, for the present General Assembly, to-wit:

From the county of Adair, John Stotts; from the county of Allen, Anak Dawson; from the county of Anderson, David White, jr.; from the county of Barren, James G. Hardy and John B. Preston; from the county of Bath, Henry Chiles; from the county of Boone, John P. Gaines; from the county of Bourbon, William Hickman, George W. Williams and David Gass; from the county of Bracken, John Colglazer; from the counties of Breckenridge and Hancock, John Calhoon; from the county of Bullitt, William R. Grigsby; from the counties of Butler and Edmonson, William Anderson; from the county of Caldwell, Thomas Haynes; from the county of Calloway, John L. Murray; from the county of Campbell, Jefferson Phelps; from the county of Casey, William Ray; from the county of Christian, David S. Patton; from the county of Clark, Chilton Allan and John G. Stuart; from the counties of Clay and Perry, Alexander Patrick; from the county of Cumberland, James Baker; from the county of Davis, Simpson Stout; from the county of Estill, Isaac Mize; from the county of Fayette, James True, Edward J. Wilson and John Curd; from the county of Fleming, Benedict H. Hobbs and William Cassidy; from the counties of Floyd and Pike, Alexander Lackey; from the county of Franklin, John J. Crittenden; from the county of Gallatin, Jeremiah Strother; from the county of Garrard, John Yantis and Tyree Harris; from the county of Grant, Asa Vallandigham; from the county of Grayson, James H. Wortham; from the county of Green, James W. Barrett and William N. Marshall; from the county of Greenup, Thompson Ward; from the counties of Hardin and Meade, George Roberts and John L. Helm; from the counties of Knox and Harlan, James Love; from the county of Harrison, Joseph Patterson and Theophilus Chowning; from the county of Hart, Benjamin Copeland; from the county of Henry, Benjamin Allen and John Fields; from the county of Henderson, Archibald Dickson; from the counties of Hickman, Graves and McCracken, Thomas James; from the county of Hopkins, Andrew Sisk; from the county of Jefferson, Samuel Churchill and Henry Robb; from the county of Jessamine, Courtney R. Lewis; from the counties of Lawrence and Morgan, Roland T. Burns; from the county of Lewis, Thomas Henderson; from the county of Lincoln, Logan Hunton; from the county of Logan, Presley Morehead and

[JAN. 10.]

Ephraim M. Ewing; from the county of Livingston, Wiley P. Fowler; from the city of Louisville, James Guthrie; from the county of Madison, Squire Turner, John Speedsmith and Clifton Rodes; from the county of Mason, John Chambers and James K. Marshall; from the county of Mercer, John A. Tomlinson, Robert B. McAfee and Elias Tompkins; from the county of Monroe, John S. Barlow; from the county of Montgomery, James Hayes and Benjamin F. Thomas; from the county of Muhlenburgh, William C. McNary; from the county of Nelson, Richard Rudd and Samuel T. Beall; from the county of Ohio, Dillis Dyer; from the county of Pendleton, Thomas G. Hall; from the county of Pulaski, Berry Smith; from the county of Rockcastle, Charles Colyer; from the county of Russell, Jeremiah S. Pierce; from the county of Scott, Euclid L. Johnson and Andrew Johnson; from the county of Shelby, Andrew S. White, Percival Butler and James C. Sprigg; from the county of Simpson, William J. Williams; from the county of Spencer, Stilwell Heady; from the county of Todd, Richard B. New; from the county of Trigg, Lipscomb Norvell; from the county of Warren, James T. Morehead and Henry Shanks; from the county of Washington, George H. Girton, Richard Spalding and George Grundy; from the counties of Whitley and Laurel, Jarvis Jackson; and from the county of Woodford, Southey Whittington.

JOHN YANTIS, ch'n.

Which being read, was concurred in.

Mr. Guthrie, from the committee for courts of justice, made the following report:

The committee of courts of justice have, agreeable to order, had under consideration sundry petitions to them referred, and have come to the following resolutions:

*Resolved*, That the petition of the administrator of Jonathan R. Williams, praying the passage of a law to authorize the sale of certain real estate, be rejected.

*Resolved*, That the petition of the heirs of John Ford, praying for the passage of a law to authorize the sale of certain real estate, be rejected.

*Resolved*, That the petition of Thomas Stokes and Francis Reynolds, praying the Legislature to revoke a grant for land, be rejected.

*Resolved*, That the petition of John Buford, praying for the passage of a law to revise certain legal proceedings, be rejected.

*Resolved*, That the petition of the heirs of Gabriel Overstreet, praying for the passage of a law to authorize the sale of certain real estate, be rejected.

Which being twice read, was concurred in.

On motion of Mr. Guthrie:

*Ordered*, That the committee for courts of justice be discharged from the consideration of the unfinished business of the last session, referred to said committee; and also, from the further

consideration of a bill providing for the appointment of Commonwealth's Attorneys, referred to said committee.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr McAfee, from the committee of propositions and grievances—1. A bill to authorize the sale of an alley, in the town of Mountsterling, running between lots 49 and 50, in the plan of said town.

2. A bill to establish an election precinct in Livingston county, and for other purposes.

By Mr Helm, from the committee of claims—3. A bill for the appropriation of money.

By Mr Guthrie, from the committee for courts of justice—4. A bill to authorize the justices of the county court of Hancock county to increase the levy.

5. A bill to regulate the criminal terms of the Jefferson circuit court.

6. A bill to change the venue in the case of James McKinney.

By Mr Hardy, from the committee of religion—7. A bill to divorce Daniel Holden from his wife, Maria.

8. A bill to divorce Edmund and Sarah Mountjoy.

9. A bill to divorce Temple West.

10. A bill to amend the law concerning divorces.

11. A bill to amend an act entitled, an act to regulate the solemnization of marriages, approved February 3d, 1798.

By Mr Ewing, from the committee of claims—12. A bill to provide for the payment of slaves executed.

By Mr Butler, from the committee on education—13. A bill to appropriate the fines and forfeitures in Gallatin county to the Gallatin Academy.

By Mr Ward—14. A bill confirming the right of David and John Trimble, in the erection of a dam at their iron works on Little Sandy river, in Greenup county.

Which bills were severally received, and read the first time; and the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth and fourteenth, ordered to be read a second time.

It was then moved and seconded to lay the twelfth bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Ewing and Turner, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Baker, Butler, Calhoun, Churchill, Copeland, Crutchfield, Curd, Gaines, Gass, Girton, Guthrie, Hayes, Heady, Helm, Hickman, Jackson, E. L. Johnson, Lewis, Mc-

Afee, McNary, J. K. Marshall, W. N. Marshall, J. T. Morehead, Norvell, Patton, Pierce, Ray, Robb, Roberts, Rudd, Russell, Shanks, Sisk, Spalding, Sprigg, Stewart, Stotts, Stout, Tomlinson, Tompkins, Vallandigham, Whittington, W. J. Williams, Wilson, Wortham and Yantis—50.

NAYS—Messrs. Anderson, Barlow, Barrett, Brown, Burns, Cassidy, Chambers, Chiles, Chowning, Colglazer, Colyer, Dawson, Dyer, Ewing, Fowler, Grigsby, Grundy, Hall, Hardy, Harris, Haynes, Henderson, Hobbs, Hunton, James, Lacky, Love, Mize, P. Morehead, Murray, Patterson, Patrick, Phelps, Preston, Rodes, Smith, Speedsmith, Strother, Thomas, Turner, Ward, G. W. Williams and S. Williams—43.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth and fourteenth bills having been dispensed with; the first, second, fourth, fifth, sixth, seventh, eighth, ninth, eleventh, thirteenth and fourteenth bills, (the second having been amended at the clerk's table,) were severally ordered to be engrossed and read a third time; the third was committed to a committee of the whole house for the 12th instant; and the tenth, to the committee of religion.

And thereupon, the rule of the house, constitutional provision and third reading of the first, second, fourth, fifth, sixth, seventh, eighth, ninth, eleventh, thirteenth and fourteenth bills having been dispensed with:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

Mr Guthrie, from the committee for courts of justice, to whom was referred a bill to amend the law in relation to executors and administrators, reported the same without amendment.

The said bill was then recommitted to a select committee of Messrs Hayes, Helm and Tomlinson.

A message was received from the Governor, by Mr Crittenden, his Secretary, announcing that the Governor had approved and signed sundry enrolled bills, which originated in this house, of the following titles:

An act to incorporate a Turnpike road Company from Louisville to Bardstown, and on to Springfield, and to Lebanon.

An act to add a part of Pulaski county to the county of Wayne.

An act for the benefit of James F. Robinson and others.

An act for the benefit of Thomas Griffey.

An act to authorize the county court of Christian county to open a road from Hopkinsville to Edward Wooldridge's coal banks, in said county.

An act to appropriate some of the vacant lands of Casey county to improve the road leading from the town of Liberty to where the road crosses the Rolling Fork, near Timothy Goode's, in a direction to Springfield, and for other purposes.

An act to authorize certain county courts to permit gates to be erected across certain roads.

An act to establish an election precinct in the county of Washington.

An act to give additional powers to the Trustees of the town of Shelbyville.

An act to amend the several laws establishing and regulating the town of Covington.

An act to divorce Elizabeth Fannan from her husband, Joseph Fannan.

An act for the benefit of James Herrod.

An act to authorize persons prosecuted for felony in the county of Hancock, to be confined in the jail of Breckenridge.

An act for the benefit of the sheriff of Edmondson county.

An act for the benefit of Lucy and John Hackley.

An act for the benefit of the sheriff of Boone county.

An act to establish the town of Moscow, in Hickman county, and to incorporate a seminary of learning in said town, and for other purposes.

An act to authorize James Jones to build a mill dam across the south fork of Little Barren river.

An act to amend an act entitled, "an act to organize two Fire Companies in the town of Lexington, and for other purposes."

An act to amend an act entitled, "an act for the benefit of the surveyor of Hopkins county."

Approved 8th January, 1831.

*Ordered,* That the clerk inform the Senate thereof.

Mr J. T. Morehead, from the committee on internal improvements, to whom was referred a bill to improve the navigation of the big south fork of Cumberland river, and for other purposes—

Also, a bill to improve Muldrow's hill, on the road leading from Lexington to Nashville—reported the said bills, with amendments to each.

Which being severally twice read, were concurred in; and the former bill, as amended, was ordered to be engrossed and read a third time, and the second was re-committed to the committee of propositions and grievances.

And thereupon, the rule of the house, constitutional provision and third reading of the former bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr Phelps, from the select committee, to whom was referred a bill to incorporate the Kentucky and Ohio Bridge Company, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time on this day.

The said bill was then read a third time as follows, viz:

*SEC. 1. Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John B. Lindsey, James Taylor, sen. Richard Southgate, sen. Samuel Winston, Thomas D. Carneal, John B. Casey, Edward Colston, Dr. — King, James G. Arnold, Morgan Neville, Lewis Whiteman, Charles N. Gazzam, George Neff and Robert Buchanan, with their associates, be, and they are hereby created a body politic and corporate, by the name of the Kentucky and Ohio Bridge Company, for the purpose of erecting and constructing a bridge across the Ohio river, from the towns of Newport and Covington, or either of them, in this State, to the City of Cincinnati, in the State of Ohio, and they, and their associates, and successors, shall continue, and have perpetual succession, and by that name and style, are hereby made as capable in law as natural persons, to contract and be contracted with, to sue and be sued, to plead and be impleaded, in this commonwealth and elsewhere, in all courts of law, or equity; and to make, have, and to use a common seal, and the same to break, alter, or amend at pleasure; they shall also have power to purchase, and hold as much real estate, as will be necessary for the site of said bridge, or the sites for the piers, abutments, toll houses and suitable avenues leading to the same; also, to borrow money, not exceeding the capital stock mentioned in this act; but not to have, or exercise the privilege of loaning money, or issuing bills, or notes on banking principles; also, the power to ordain and establish such bye-laws, ordinances and regulations, as shall be necessary for the well being and government of said corporation, not contrary to the laws of this commonwealth, the State of Ohio, or the United States.

*SEC. 2. Be it further enacted*, That the capital stock of said company, shall consist of three hundred thousand dollars, divided into six thousand shares, of fifty dollars each, to be subscribed for, or sold in the manner hereinafter mentioned.

*SEC. 3. Be it further enacted*, That within sixty days after the passage of this act, and the confirmation of the same by the State of Ohio,

the persons before named, or a majority of them, shall cause a public advertisement to be made of the time and places of opening the books of subscription of the stock of said company, which books shall be kept open under the direction of said persons, or a majority of them, not less than ten days, nor more than ninety days. If, however, at the closing of the subscription, it shall be found, that a greater number of shares than six thousand shall have been taken, then, and in that case, the persons before named, or a majority of them, shall proceed to reduce the number of shares in an equitable and just proportion among the subscribers, taking off from the highest subscribers, not reducing any one below twenty shares; and they shall have the right to demand, and receive from every person subscribing for the stock of this company, a sum not exceeding ten, nor less than one dollar on each share subscribed at the time of making the subscription, and no subscription shall be deemed valid, unless such payment is made, if required by the conditions of subscription.

*SEC. 4. Be it further enacted,* That when five hundred shares shall have been subscribed, the said persons, or a majority of them, shall advertise a meeting of the share-holders of said company at Covington, Newport, or the City of Cincinnati, giving at least fifteen days previous notice of the time and place of such meeting; and the share-holders shall, thereupon proceed to the election of a president and six directors, who shall be share-holders; and such of the before named persons, who shall not then be share-holders, shall cease to be members of said corporation, and the said share-holders shall proceed to fix what compensation the said president and directors shall be entitled to receive, if any be allowed; also, to ordain and adopt any such bye-laws for the permanent organization and government of said corporation, as they may deem needful; at which meeting each share-holder shall be entitled to one vote for each share, to the number of ten, and one vote for every ten shares over that number and not exceeding fifty, and one vote for every twenty shares over fifty; and at all subsequent elections, or general meetings of the stock-holders, no shares shall be voted on, that have not stood in the name of the person claiming to vote, at least three months previous to the day of election, or meeting, and the shares in said company may be voted, or by proxies duly authorized, conforming to the foregoing regulations.

*SEC. 5. Be it further enacted,* That the president and directors first chosen, shall hold their offices until the first Thursday of January, ensuing such election, and until others shall be chosen in their places; and on the first Thursday of January in each year, the stock-holders in said company, shall meet at their office in the City of Cincinnati, the town of Covington, or Newport, or some place to be designated by the president and directors, and then proceed to the election of a president and six directors, being share-holders, and residents of the States of Ohio, or Kentucky, who shall hold their offices for one year, or until their successors shall be

elected. Public notice of such meetings and elections, shall be given by the clerk, or secretary of the company, in some public newspaper, printed in the City of Cincinnati, at least fifteen days previous thereto. At the annual meetings, a statement of the affairs of the company shall be made out by the president and directors, and presented to said meeting, and such dividends of the profits declared as may be deemed advisable.

SEC. 6. *Be it further enacted,* That the concerns of said corporation shall be under the control, superintendance and management of said president and directors; and the president and three directors shall constitute a quorum to transact business, or in the absence of the president, any four of the directors, one of whom shall act as president *pro tem.* The president and directors, after they shall have been duly elected as aforesaid, may make such assessments in the shares of said company as are subscribed, payable at such periods as they may deem advisable, with such conditions of forfeiture for noncompliance, not exceeding the amount of stock delinquent, as they may deem proper. The said president and directors shall open, or renew the subscription for the shares not already subscribed, or sell them, or any forfeited shares, as they may think best for the company.

SEC. 7. *Be it further enacted,* That it shall be the duty of the president and directors, to appoint a clerk, or secretary, and cause a record of their proceedings to be kept; they may also appoint a treasurer and such other officers, or agents as they may think proper for promoting said undertaking, and to allow them such compensation as they may agree upon; to make contracts, and do all things necessary for carrying the same into immediate effect, and to require, and take such bonds, or other surety, in their corporate capacity, from any person, or persons they may appoint, or contract with; and in the event of the death, resignation, or vacancy from any other cause, of the president, or any director, the survivors, or a majority of them, shall supply the vacancy until the next annual election, by the election of another share-holder.

SEC. 8. *Be it further enacted,* That the said President and Directors shall have the right to purchase and receive the conveyance or conveyances of a site for said bridge, or sites for the abutments or piers of said bridge, and if they shall deem it advisable and advantageous to the company, one acre of land at each end of the bridge, over and above what is authorized to be purchased by the first section of this act.

SEC. 9. *Be it further enacted,* That the said permanent bridge shall be erected, so as to permit the passage of ships, schooners, sloops and steam vessels, of the largest size and height, at the highest stages of the water in the river, and shall have over the channel of the river, a span or arch, not less than three hundred feet wide, and the other spans or arches, not less than one hundred and fifty feet each; and when so erected and completed, the President and Directors shall have the right to fix rates of toll for passing over said bridge, and to collect the same from all and every per-

son or persons, passing thereon with their goods, carriages, or animals of every kind or description: *Provided, however,* that the said company shall lay before the legislature of this State, a correct statement of the cost of said bridge, and an annual statement of the tolls received for passing the same, and also the costs of keeping the said bridge in repair, and of the other expenses of the company. And the said President and Directors shall, from time to time, reduce the rates of toll, so that the nett profits shall not exceed eighteen per centum per annum, after the proper deductions are made for repairs and other charges. Toll gates may be kept and toll received at each end of the bridge, and the rates of toll shall be posted up in some conspicuous place where the toll is demanded.

SEC. 10. *Be it further enacted,* That if any person or persons, shall wilfully and knowingly, do any act or thing whatever, whereby the said bridge or any thing thereto belonging, shall be injured or damaged, the said person or persons so offending, shall forfeit and pay three times the amount of the damages sustained, with costs of suits, recoverable before any court of competent or legal jurisdiction; and any person or persons, who shall pass said bridge, without paying the toll, or tendering it, if there be any person present to receive it, shall forfeit and pay three times the amount of the toll or tolls, which he, she, or they, were liable to pay for passing said bridge, recoverable before any justice of the peace in the Commonwealths of Kentucky or Ohio. And further, if any person or persons, shall wilfully set fire to said bridge, or burn the same, or any part thereof, such person or persons so offending, with his, her or their, aiders or abettors, shall be guilty of arson.

SEC. 11. *Be it further enacted,* That certificates of stock in said company shall be issued, under the seal of the company, in the form and manner that shall be designated by the laws of the company, which shall designate the mode of transfer.

SEC. 12. *Be it further enacted,* That one thousand shares of the stock of said company, may be taken, and shall be reserved, for the state of Kentucky; and one thousand shares may be taken, and shall be reserved, for the state of Ohio; five hundred shares may be taken, and shall be reserved, for the city of Cincinnati; two hundred and fifty shares may be taken, and shall be reserved, for the town of Covington; and two hundred and fifty shares may be taken, and shall be reserved, for the town of Newport: *Provided, however,* that the said States, the city of Cincinnati, or the town of Covington or Newport, or either of them, authorize any person or persons, to make the subscription for the said stock, or any part thereof, within fifteen months from the passage of this act; and in case either of the said states, or the city of Cincinnati, or the town of Covington or Newport, becomes a shareholder in said company, the shares held by them respectively, may be voted on at elections or other meetings, by the authorized agent or agents, designated by all or either of said states, or city, &c

of said towns, or either of them, in the same manner as the shares held by individuals, as designated in this act; and in case the towns of Newport and Covington, or either of them, should take the said two hundred and fifty shares respectively reserved for them, or any less number of shares in said company, each of them is authorized to raise the necessary amount of money by loan on the credit of the town, and a pledge of the stock so subscribed and taken by them.

SEC. 13. *Be it further enacted,* That this act of incorporation shall go into effect so soon after the passage thereof as it shall receive the ratification of the state of Ohio; and shall cease to have effect, if the stock shall not be taken to the extent of one thousand shares within five years, and the bridge be completed so far as to be passable within ten years.

SEC. 14. *Be it further enacted,* That said company shall be liable to the owner for the value of all slaves who shall escape from servitude by passing said bridge from Kentucky to Ohio, without the written permit of the owner or agent.

SEC. 14. *Be it further enacted,* That the said company shall be held liable and responsible, by an appropriate action, for all injuries sustained by vessels or boats, rafts of plank, timber or other lumber, passing up or down said river, in consequence of the obstruction of said bridge, unless the injuries are sustained by negligence or want of competent skill of those on board said vessels, boats or rafts.

SEC. 15. *Be it further enacted,* That it shall be lawful for said bridge company, at their own expense, to employ and furnish pilots for directing boats or other vessels, rafts of plank, timber, or other lumber, through the bridge; and if any person navigating a boat, or other vessel, raft of plank, timber, or other lumber, shall fail to take, or refuse the aid of a pilot, furnished by the company, then such boat, or other vessel, raft of plank, timber, or other lumber, shall be considered as passing the bridge at the risque of the owner or navigator.

SEC. 16. *Be it further enacted,* That it shall be sufficient service of process, on the corporation hereby erected, to execute a summons on the president and secretary of said company; and process so executed, shall authorize judgment at the first term, as in other cases, if no appearance should be entered, or plea filed.

SEC. 17. *Be it further enacted,* That it shall be the constant duty of the said bridge company, from time to time, to remove all timber, or drift, of any description, which may lodge against any of the piers of said bridge; and if they fail herein, they shall be liable to a fine of ten dollars, for every twenty-four hours it shall be suffered to remain, after allowing a reasonable time to remove the same, to be recoverable by indictment, or presentment, in any court of competent jurisdiction; and shall, moreover, be liable to any person sustaining any damage or injury thereby.

SEC. 18. *Be it further enacted*, That the legislature reserves the right to pass such laws hereafter, and so to amend this act, as to secure the navigation of said river, Ohio, from injury and obstructions.

And the question being taken on the passage of said bill, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required on the passage thereof, by Messrs Phelps and Turner, were as follows, viz:

YEAS—Messrs. Beall, Butler, Calhoon, Churchill, Copeland, Dyer, Fowler, Gaines, Gass, Guthrie, Hall, Haynes, Heady, Helm, Jackson, James, E. L. Johnson, Love, McAfee, Mize, J. T. Morehead, Murray, Patrick, Patton, Phelps, Preston, Roberts, Rudd, Russell, Spalding, Sprigg, Strother, Thomas, Tomlinson, Vallandigham, Whittington, G. W. Williams and Wilson—38.

NAYS—Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chambers, Chowning, Colglazer, Colyer, Crutchfield, Curd, Dawson, Ewing, Girton, Grigsby, Grundy, Hardy, Harris, Hayes, Henderson, Hobbs, Hunton, Lackey, Lewis, McNary, J. K. Marshall, W. N. Marshall, P. Morehead, New, Norvell, Patterson, Pierce, Ray, Rodes, Robb, Shanks, Sisk, Smith, Speedsmith, Stewart, Stotts, Stout, Tompkins, Turner, Ward, S. Williams, W. J. Williams, Wortham and Yantis—54.

The following bills were severally read a second time:

1. A bill to prevent future confliction in land claims, and to secure to seaters and improvers a preference of location to lands improved by them.
2. A bill further to regulate the Court of Appeals.
3. A bill regulating brigade drills in the 15th brigade.
4. A bill for the benefit of the children of wives abandoned by their husbands.
5. A bill to prevent free negroes, mulattoes and slaves from selling spirituous and other liquors.
6. A bill to provide for removing the obstructions to the navigation of Little Barren river.
7. A bill to repeal an act entitled, an act to amend the law in relation to opening and repairing the public roads in certain counties.
8. A bill for the benefit of the Louisville Hospital.
9. A bill for the benefit of Masterson Ogden.
10. A bill to divorce Elizabeth Wilson from her husband Marvin A. D. Wilson.

The first, third, fourth, fifth, sixth, eighth, ninth and tenth, (the fifth being amended at the clerk's table,) were severally ordered to be engrossed and read a third time; the seventh, being amended, was recommitted to the committee for courts of justice.

It was then moved and seconded to lay the second bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Ewing and Chambers, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Baker, Barrett, Brown, Butler, Burns, Calhoon, Cassidy, Chambers, Churchill, Colglazer, Colyer, Copeland, Curd, Gaines, Gass, Grigsby, Guthrie, Hall, Hardy, Harris, Henderson, Hickman, Hobbs, Hunton, Jackson, E. L. Johnson, Lewis, McAfee, J. K. Marshall, W. N. Marshall, Mize, New, Patrick, Phelps, Pierce, Ray, Rodes, Robb, Sisk, Smith, Speedsmith, Spalding, Stewart, Stotts, Stout, Strother, Thomas, Tomlinson, Tompkins, Turner, Vallandigham, Ward, Whittington, G. W. Williams, S. Williams, W. J. Williams, Wilson and Yantis—62.

NAYS—Messrs. Barlow, Beall, Chiles, Chowning, Dawson, Dickson, Dyer, Ewing, Grundy, Hayes, Haynes, Heady, Helm, James, Lackey, Love, McNary, P. Morehead, Norvell, Patterson, Patton, Preston, Rudd and Sprigg—24.

And thereupon, the rule of the house, constitutional provision and third reading of the first, third, fourth, sixth, ninth and tenth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The yeas and nays being required on the passage of the sixth bill, by Messrs Field and Hardy, were as follows, viz:

YEAS—MR. SPEAKER, Messrs Anderson, Baker, Beall, Butler, Burns, Calhoon, Chambers, Chiles, Churchill, Colyer, Copeland, Crutchfield, Curd, Dyer, Gass, Grundy, Guthrie, Hardy, Hayes, Haynes, Helm, Hickman, Hunton, Jackson, Lackey, Love, McNary, J. K. Marshall, W. N. Marshall, J. T. Morehead, Murray, New, Patton, Preston, Robb, Rudd, Russell, Shanks, Spalding, Stotts, Strother, Thomas, Vallandigham, Ward, G. W. Williams, Wilson and Wortham—48.

NAYS—Messrs. C. Allan, B. Allen, Barlow, Brown, Cassidy, Chowning, Colglazer, Dawson, Ewing, Fields, Gaines, Girton, Hall, Harris, Henderson, A. Johnson, E. L. Johnson, Lewis, McAfee, Mize, P. Morehead, Norvell, Patterson, Patrick, Pierce, Ray, Rodes, Sisk, Smith, Speedsmith, Stewart, Stout, Tompkins, Turner, D. White, Whittington, S. Williams, W. J. Williams and Yantis—39.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time, viz:

1. An act providing for the appointment of Commonwealth's attorneys.
2. An act to amend an act entitled, "an act for the benefit of Jereboam Beauchamp, approved January 29th, 1829."
3. An act for the benefit of the Washington Academy.
4. An act to establish the town of Colemansville.
5. An act for the benefit of the heirs of Quinton Stewart.
6. An act to amend the act concerning the public highways in the county of Fayette, and for other purposes.
7. An act for the benefit of Nicholas Valentine.
8. An act for the benefit of the heirs of William Ricks.
9. An act for the benefit of John H. Rudd.
10. An act to amend the law concerning the powers of the Trustees of the town of Glasgow, and for other purposes.
11. An act to extend the law concerning private passways.
12. An act to alter the state road from Crab Orchard to Stanford.
13. An act to establish an election precinct in the county of Henderson and in the county of Hopkins.
14. An act to authorize the editor of the Gleaner and Cynthia Republican to publish advertisements.
15. An act for the relief of the sheriff of Gallatin county.
16. An act to prevent slaves being confined in the public jails of this Commonwealth.
17. An act to incorporate the Literary Institution of St. Rose, in Washington county.
18. An act to authorize the stockholders of the Frankfort Bank to elect an agent to close the concerns of said bank, and for other purposes.

And thereupon, the rule of the house, constitutional provision and second reading of the first, second, third, fourth, fifth, sixth, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth bills having been dispensed with; the first, second, third, fourth, fifth, eighth, ninth, eleventh, thirteenth, fourteenth, fifteenth, seventeenth and eighteenth bills, (the fifth, ninth and fifteenth, having been amended at the clerk's table,) were ordered to be read a third time; the sixth was committed to a select committee of Messrs Curd, Wilson and True; the tenth and twelfth, to the committee of propositions and grievances; and the sixteenth to a select committee of Messrs Whittington, Love and Hardy.

And thereupon, the rule of the house, constitutional provision and third reading of the second, third, fourth, fifth, eighth, ninth, eleventh, thirteenth, fourteenth, fifteenth, seventeenth, and eighteenth bills having been dispensed with:

*Resolved*, That the said bills do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the amendments proposed to the fifth, ninth and fifteenth bills.

A resolution from the Senate, directing two rooms in the capitol to be fitted up for a public library, was taken up, twice read, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A bill from the Senate, entitled, an act to amend the law concerning constables, was read the first time.

It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Tompkins and S. Williams, were as follows:

YEAS—Messrs. C. Allan, Anderson, Brown, Cassidy, Chambers, Crutchfield, Curd, Dawson, Dickson, Dyer, Ewing, Girton, Guthrie, Hayes, Haynes, Heady, Helm, Hickman, Hunton, Jackson, McNary, J. K. Marshall, Mize, P. Morehead, Norvell, Patterson, Patrick, Patton, Pierce, Ray, Rodes, Sisk, Spalding, Stewart, Stotts, Stout, Thomas, Tompkins, Turner, Vallandigham, Ward, D. White, Whittington, W. J. Williams and Wortham—45.

NAYS—MR. SPEAKER, Messrs. B. Allen, Baker, Barlow, Barrett, Beall, Butler, Burns, Chiles, Chowning, Churchill, Colglazer, Colyer, Copeland, Fields, Fowler, Gaines, Gass, Grundy, Hall, Hardy, Harris, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Robb, Rudd, Smith, Speedsmith, Strother, G. W. Williams, S. Williams and Yantis—39.

A message was received from the Senate, announcing the passage of bills which originated in this house, of the following titles:

An act to establish a state road from Hopkinsville, by the way of Cadiz, Canton and J. C. Pentecost's ferry, on the Tennessee river, Waidsborough and Mayfield, to the town of Columbus, on the Mississippi river.

An act to amend an act entitled, an act to change the boundary line between Rockcastle and Laurel counties, approved January 27, 1830.

An act to appoint commissioners to settle with the trustees of the Estill seminary lands, and for other purposes.

An act to regulate the constables districts in the county of Henry, and to reduce the number to eight.

An act to permit James Lewis to build a mill-dam across the North fork of the Kentucky river.

An act to confirm an order of the county court of Perry, allowing Jeremiah Combs to build a mill-dam across the North fork of Kentucky river.

An act for the benefit of Christopher Heavner.

An act for the benefit of the committee and family of John Atchison, and for the benefit of John Lear's heirs.

An act to extend the terms of the Oldham and Spencer circuit courts.

An act to appropriate the fines and forfeitures of Monroe county, to the improvement of the roads in said county.

An act for the benefit of Samuel Blain.

An act to change the time of holding the circuit courts in the fourth judicial district, and for other purposes.

An act to authorize the publishing advertisements in the Louisville Journal.

An act to add a part of Ohio to Breckinridge county.

An act to change the place of voting in the upper precinct in Monroe county—and

An act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon—with amendments to the eight last bills.

And the passage of bills of the following titles:

An act to authorize the insertion of certain advertisements in the Louisville Journal.

An act establishing the town of Poplar Plains in Fleming county.

An act to establish John Hanna's warehouse.

An act for the benefit of Revolutionary soldiers.

An act for the benefit of Peleg Underwood.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to amend the several acts incorporating the Louisville Turnpike Company.

An act to authorize the overseer of the Crab Orchard and wilderness road to work on Water street, in the town of Mount Vernon.

An act to amend an act entitled, "an act for the benefit of Elizabeth Griffin, and for other purposes, approved January 23, 1818."

An act for the benefit of Tabitha Alford—and

An act for the benefit of Jacob Ward.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr Barlow inform the Senate thereof.

And then the House adjourned.

TUESDAY, JANUARY 11, 1831.

Mr Preston presented the petition of Samuel Jenkins, praying a change of venue for his trial on an indictment found against him in the Monroe circuit court, on a charge of forgery.

Mr Jackson presented the petition of sundry citizens of Laurel county, praying that a law may pass to alter the mode of working and keeping in repair the Turnpike and Wilderness road, and to alter the mode of appointing the managers on said road.

Which petitions were severally received, read and referred; the first, to the committee for courts of justice; and the second, to a select committee of Messrs Jackson, Love and Patrick.

Mr Whittington, from the select committee appointed for that purpose, reported a bill to pay the heirs of William Steele, commissioner of the Southern state line, for surveying the same—which was received and read the first time, and ordered to be read a second time.

And the rule of the house, constitutional provision, and second reading of said bill having been dispensed with, the same was committed to the committee of claims.

A message was received from the Senate, announcing the passage of bills of the following titles:

An act providing for opening a road from the mouth of Shelby's creek, on Sandy river, to the top of Cumberland mountain, in a direction to Jonesborough, in Tennessee.

An act to amend an act, further to regulate the Bank of the Commonwealth, approved January 29th, 1830.

An act to incorporate the Trustees of Mount Pleasant school, in Franklin county.

An act for the benefit of Eli Bentley.

An act for the benefit of Gustavus Brown.

An act for the benefit of William Thomas, of Casey county.

An act for the benefit of John Woolford, of Casey county.

An act further to regulate the Whitley Turnpike road.

An act for the benefit of James Lockridge.

An act further to regulate the Court of Appeals.

And the adoption of a joint resolution for burning a portion of the notes of the Bank of the Commonwealth.

And had received official information, that the Governor did, on the 8th day of January 1831, approve and sign enrolled bills, which originated in the Senate, of the following titles, to-wit:

An act to amend an act to establish an election precinct in Green county, approved 16th December, 1829, and to establish election precincts in sundry other counties

An act for the benefit of Joshua Cates.

An act for the benefit of Ann Eliza Nelson.

And requesting permission to withdraw a bill which originated in this house, entitled, an act to regulate the constable's districts within the county of Henry, and reduce the number to eight—with the report of the Senate made thereon.

Whereupon—

*Resolved*, That permission be given to withdraw said bill.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time:

1. An act to amend an act entitled, an act to provide for the erection of two bridges across Rockcastle river.
2. An act to establish and open a road in Barren county.
3. An act to allow additional justices of the peace to certain counties.
4. An act for the benefit of John Montee.
5. An act for the benefit of the widow and heirs of James Ladd, deceased.
6. An act for the benefit of the heirs of Elizabeth Jones.
7. An act to amend the laws concerning the town of Lexington.
8. An act for the benefit of the actual settlers west of the Tennessee river.
9. An act to amend the laws in relation to guardians.
10. An act to provide for the opening of a road from Frankfort to King's ferry, on the Ohio river, by the way of Newcastle, in Henry county.
11. An act to amend the law in relation to keeping the public roads in repair.
12. An act to improve certain roads in Caldwell county.
13. An act for the relief of the Commissioners of the Lunatic Asylum, and for other purposes.
14. An act to incorporate the Bayou de Chein Navigation Company.
15. An act to repeal an act entitled, an act for the purpose of having the Edmonson county line run from White's to Hunter's, and also to run the line between Edmonson and Barren, approved January 29, 1830.
16. An act further to regulate the public roads in Washington county.
17. An act providing for the erection of a tombstone over the grave of the late General John Caldwell, and for other purposes.
18. An act further to regulate the town of Springfield.
19. An act directing the county courts of the counties through which the state road from Cloverport to Bowlinggreen passes, to appoint surveyors to keep the same in repair.

20. An act to amend the law to establish a state road from the mouth of Salt river to intersect the state road leading from Brandenburg to Bowlinggreen, approved January 15th, 1829.

21. An act establishing the town of Poplar Plains, in Fleming county.

22. An act to establish John Hanna's Warehouse.

23. An act for the benefit of revolutionary soldiers.

24. An act for the benefit of Peleg Underwood.

And thereupon, the rule of the house, constitutional provision and second and third readings of the second, third, fourth, sixth, seventh, eighth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third bills having been dispensed with, (the third and eighteenth, having been amended at the clerk's table:)

*Resolved*, That the said bills do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the amendments to the third and eighteenth bills.

The second reading of the tenth bill having been dispensed with, it was referred to a select committee of Messrs B. Allen, Strother, Crutchfield, Sprigg, White and Field.

A bill from the Senate, entitled, an act to provide for the appointment of Commonwealth's attorneys, was read a third time;

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

The following bills were severally read a second time, and ordered to be engrossed and read a third time:

1. A bill requiring tavern keepers, pedlars, and owners of stud horses and jacks to pay taxes in advance, and obtain licenses.

2. A bill to amend the laws in relation to the guards for criminals in jail, and for other purposes.

3. A bill regulating the taking of recognizances for keeping the peace.

4. A bill to repeal an act entitled, an act to promote the general diffusion of education, by the establishment of an uniform system of public schools, so far as regards the counties of Christian and Madison.

The yeas and nays being required on engrossing the second bill for a third reading, by Messrs Churchill and Turner, were as follows:

YEAS—Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Butler, Calhoon, Cassidy, Chambers, Chiles, Colglazer, Copeland, Crutchfield, Curd, Dawson, Ewing, Fowler, Gaines, Girton, Grundy,

Hardy, Harris, Hayes, Haynes, Heady, Hickman, Hobbs, Hunton, A. Johnson, E. L. Johnson, Lewis, W. N. Marshall, Mize, P. Morehead, Murray, New, Patterson, Preston, Rodes, Rudd, Shanks, Smith, Speed, Smith, Spalding, Sprigg, Stewart, Stout, Strother, Thomas, Tomp<sup>ts</sup>, True, Turner, Ward, A. S. White, Whittington, G. W. Williams, S. Williams, W. J. Williams, Wilson, Wortham and Yantis—63.

NAYS—Messrs. Burns, Chowning, Churchill, Colyer, Dickson, Dyer, Fields, Grigsby, Guthrie, Hall, Helm, Henderson, Jackson, James, Lackey, McAfee, J. K. Marshall, Norvell, Phelps, Pierce, Ray, Robb, Roberts and Sisk—24.

And thereupon, the rule of the house and third reading of the third bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

The amendments proposed by the Senate to bills which originated in this house, of the following titles, were twice read, and concurred in, (with an amendment to the last,) viz:

An act to change the time of holding certain circuit courts.

An act for the benefit of the heirs of James McCollom, deceased.

An act to authorize John Gose to change a part of the state road in Morgan county.

An act for the benefit of Stephen Richardson, Jackson D. Jameson and John Emberson Brown.

An act to change the venue for the trial of David Turnham.

An act to extend the terms of the Oldham and Spencer circuit courts.

An act to appropriate the fines and forfeitures of Monroe county, to the improvement of the roads in said county.

An act for the benefit of Samuel Blain.

An act to authorize the publishing advertisements in the Louisville Journal.

An act to add a part of Ohio county to Breckenridge.

An act to change the place of voting in the upper precinct in Monroe county.

An act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon.

An act to change the time of holding the circuit courts in the fourth judicial district, and for other purposes.

A bill to extend and alter the terms of certain circuit courts.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the amendment proposed, upon concurring in the amendment to the last named bill.

A message was received from the Senate, announcing the passage of a bill, which originated in this house, entitled, an act to regulate the constable's districts in the county of Henry, and reduce the number to eight—with an amendment.

And the passage of bills of the following titles:

An act to authorize the county court of Casey to change the location of the state road though the lands of Charles Vanderver, in said county.

An act to amend an act entitled, an act to amend an act to establish an election precinct in Green county, approved the 16th of December, 1829, and to establish election precincts in sundry other counties.

An act to amend the road law, in the county of Greenup.

The amendments to the first bill were twice read, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Brown—1. A bill to amend the laws in relation to the trial of the right of property.

By Mr Jackson—2. A bill to legalize the proceedings of the Whitley and Laurel county courts.

By Mr Hayes—3. A bill authorizing the sale of the Baptist church and lot in Mountsterling.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision, and second reading of said bills having been dispensed with; the first was committed to the committee for courts of justice; and the second and third were ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the two latter bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

Mr Hobbs, from the select committee appointed for that purpose, reported a bill to reduce the salaries of certain officers in this Commonwealth, and for other purposes—which was received and read the first time.

It was then moved and seconded to lay the twelfth bill on the table.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs Hobbs and Turner, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. C. Allan, Beall, Butler, Chambers, Churchill, Colglazer, Crutchfield, Curd, Dickson, Dyer, Gaines, Guthrie, Hayes, Heady, Helm, Hickman, Hunton, Jackson, E. L. Johnson, McAfee, McNary, J. K. Marshall, J. T. Morehead, Murray, Pierce, Rodes, Rudd, Russell, Spalding, Stewart, Strother, True, A. S. White, Whittington, G. W. Williams and Yantis—36.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Brown, Burns, Cassidy, Chiles, Chowning, Colyer, Copeland, Dawson, Ewing, Fields, Girton, Grundy, Hall, Hardy, Harris, Henderson, Hobbs, James, A. Johnson, Lackey, Lewis, Mize, P. Morehead, Norvell, Patterson, Patrick, Preston, Robb, Sisk, Smith, Sprigg, Stout, Thomas, S. Williams, W. J. Williams and Wortham—40.

The said bill was then ordered to be read a second time.

Mr Grundy, from the select committee appointed for that purpose, reported a bill to tax certain property, in aid of the revenue of this Commonwealth—which was received and read the first time.

It was then moved and seconded to lay the said bill on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Grundy and Turner, were as follows:

YEAS—Mr SPEAKER, Messrs C. Allan, B. Allen, Baker, Beall, Brown, Butler, Burns, Cassidy, Chambers, Chiles, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dawson, Dickson, Dyer, Ewing, Fields, Gaines, Girton, Guthrie, Hall, Harris, Hayes, Haynes, Heady, Helm, Henderson, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, J. K. Marshall, Mize, J. T. Morehead, P. Morehead, Murray, Norvell, Patterson, Patrick, Phelps, Pierce, Ray, Rodes, Robb, Roberts, Rudd, Russell, Sisk, Smith, Sprigg, Stotts, Stout, Strother, Thomas, Tompkins, True, A. S. White, Whittington, S. Williams, W. J. Williams, Wortham and Yantis—72.

NAYS—Messrs. Anderson, Barlow, Grundy, Hardy, Hickman, McNary, Preston, Spalding, Stewart and G. W. Williams—10.

The house took up for consideration a joint resolution reported by Mr Thomas, from the select committee appointed for that purpose, to authorize the President and Directors of the Bank of the Commonwealth, to settle with the securities of Edward Stockton, late Cashier of the Mountsterling Branch Bank.

Which being twice read, was adopted.

*Ordered*, That the clerk carry the said resolution to the Senate and request their concurrence.

Engrossed bills of the following titles, were severally read a third time.

1. An act to incorporate the Ohio Bridge Company.
2. An act to prevent the escape of slaves from this Commonwealth, and to prevent free negroes and slaves from using ferry boats or other water craft.
3. An act to provide for completing the road from Beaver Iron works, in Bath county, by way of West Liberty to Louisa.
4. An act to amend an act entitled, an act to amend the laws in relation to absent defendants, passed January 25, 1827.
5. An act for the benefit of A. R. Macey and P. S. Loughborough.
6. An act restoring the ferry privilege to the town of Columbus.
7. An act to amend the several laws concerning the opening and changing the public roads.
8. An act to amend the law concerning water grist mills—and
9. An act to amend the law concerning executors and administrators.

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The yeas and nays being required on the passage of the ninth bill, by Messrs Turner and Ewing, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Beall, Brown, Butler, Burns, Chambers, Chiles, Chowning, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dawson, Dickson, Ewing, Fields, Fowler, Gaines, Girton, Grundy, Hall, Hardy, Harris, Hayes, Haynes, Helm, Henderson, Hickman, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, McAfee, Mize, P. Morehead, Norvell, Patterson, Patrick, Preston, Rodes, Robb, Roberts, Russell, Shanks, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stewart, Stotts, Stout, Strother, Thomas, Tompkins, Turner, Ward, Whittington, Wilson, Wortham and Yantis

—63.

NAYS—Messrs. Calhoon, Churchill, Dyer, Guthrie, Heady, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Pierce, Ray, Rudd, True, G. W. Williams, S. Williams and W. J. Williams—17.

An engrossed bill entitled an act to appropriate one thousand dollars, for the purpose of improving the navigation of the Rolling Fork of Salt river—was read a third time as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the sum of one thousand dollars be, and is hereby appropriated to the purpose of improving the navigation of the Rolling Fork of Salt river, from the town of Raywick, in Washington county, to the junction of the said stream with the Beech Fork.

Sec. 2. *Be it further enacted,* That it shall be the duty of the county court of Hardin county, as soon as they shall deem proper, after the passage of this act, to make, or cause to be made, a contract with some suitable or fit person, or persons, requiring bond and security from them, for the faithful discharge of his or their duty, in improving the navigation of said stream, by clearing out all obstructions which may be found therein. The said county court are hereby authorized to cause said work to be done in the best manner, to insure the safe navigation of said stream; and to carry into effect the purpose of this act.

Sec. 3. *Be it further enacted,* That whenever the contract shall be made, as prescribed in the foregoing section, the county court of Hardin county shall certify that fact to the Auditor of Public Accounts; who shall, thereupon, draw his warrant upon the Treasurer of state for said sum of one thousand dollars, and the Treasurer shall pay the same over to the order of said court: *Provided,* That it shall not be lawful for the Treasurer to pay the said sum in notes on the Bank of the Commonwealth or its branches.

And the question being taken on the passage thoreof, it was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Norvell and Preston, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Churchill, Crutchfield, Dickson, Dyer, Fowler, Gaines, Grundy, Guthrie, Haynes, Heady, Helm, McNary, J. T. Morehead, Murray, New, Robb, Roberts, Rudd, Shanks, Spalding, Sprigg, Stewart, Strother, Thomas, Ward, A. S. White, G. W. Williams, Wilson and Wortham—37.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Chowning, Copeland, Curd, Dawson, Ewing, Fields, Girton, Hardy, Harris, Hayes, Henderson, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, McAfee, J. K. Marshall, W. N. Marshall, Mize, P. Morehead, Norvell, Patterson, Patrick, Pierce, Ray, Rodes, Russell, Sisk, Smith, Speedsmith, Stotts, Stout, Tompkins, True, Turner, Whittington, S. Williams and W. J. Williams—46.

And then the House adjourned.

WEDNESDAY, JANUARY 12, 1831.

1. Mr Guthrie presented the memorial of Joel Scott, keeper of the Kentucky Penitentiary, proposing an extension to five years, of his contract with the state, for keeping said institution —which was received, read and laid on the table.

Mr Guthrie moved the following resolution:

*Resolved*, That the committee for courts of justice be instructed to report a bill to extend the contract with the keeper of the Penitentiary, for an additional term of five years.

Which being twice read, was adopted.

Mr Whittington presented the petition of the Trustees of the Woodford Academy, and of sundry citizens of Woodford county, praying that a law may pass, to authorize the sale of the lots and buildings in the town of Versailles, belonging to said Academy.

Mr Haynes presented the petition of the executrix and executor of the last will and testament of Enoch Prince, deceased, praying that a law may pass to legalize the acts of said executors, in selling and conveying certain lands belonging to the estate of their testator.

Which petitions were severally received, read and referred; the former, to a select committee of Messrs Whittington, Butler and Love; and the second, to the committee for courts of justice.

Mr McAfee, from the committee of propositions and grievances, to whom was referred a bill for the benefit of Thomas Goodwin, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time.

Mr McAfee, from the same committee, to whom was referred a bill from the Senate, entitled, an act to amend the law concerning the powers of the Trustees of the town of Glasgow, and for other purposes, reported the same with amendments.

Mr McAfee, from the same committee, to whom was referred a bill from the Senate, entitled, an act to alter the state road from Crab Orchard to Stanford, reported the same without amendment.

The said bill was then ordered to be read a third time to-morrow.

Mr McAfee, from the same committee, to whom was referred an engrossed bill, to improve Muldrow's hill on the road leading from Lexington to Nashville, reported the same without amendment.

*Resolved*, That the said bill do pass, and that the title be as aforesaid.

*Ordered,* That the clerk carry the same to the Senate, and request their concurrence.

Mr McAfee, from the same committee, reported a bill for the benefit of the administrator of Barnet Rogers, of Boone county, which was received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings being dispensed with:

*Resolved,* That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered,* That the clerk carry the same to the Senate, and request their concurrence.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to amend the law in relation to idiots, reported the same without amendment.

*Ordered,* That said bill be laid on the table until the first day of June next.

Mr Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled an act to amend the laws regulating conveyances, reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the house, and third reading of said bill having been dispensed with:

*Resolved,* That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered,* That the clerk inform the Senate thereof.

Mr Guthrie, from the same committee, made the following report:

The committee of courts of justice have, agreeable to order, had under consideration several petitions to them referred, and have come to the following resolutions:

*Resolved,* That the petition of Obadiah Garnett, praying the passage of a law, legalizing the sale of certain real estate, belonging to infants, be rejected.

*Resolved,* That the petition of Thomas Smith, praying for a donation of a tract of land, be rejected.

*Resolved,* That the petition of Margaret Vertrees, praying a law to pass, to authorize her to release a life estate in certain real property, be rejected.

*Resolved,* That the petition of the administrator of William Warren, praying the passage of a law to authorize the sale of certain slaves, be rejected.

*Resolved,* That the petition of the heirs of Martin Lantz, praying for the passage of a law to authorize the sale of certain real estate, be rejected.

*Resolved,* That the petition of Samuel Jenkins, praying a change of venue in a case of felony, be rejected.

Which being twice read, was concurred in.

Mr Guthrie, from the same committee, to whom was referred a bill from the Senate, entitled, an act to repeal all laws allowing corporations or bodies politic to issue licenses for the sale of Lottery tickets, and for other purposes, reported the same with an amendment.

*Ordered*, That the said bill and amendment be laid on the table until the first day of June next.

Mr Guthrie, from the same committee, to whom was referred a bill more effectually to prevent swindling; also, a bill to amend the penal laws, reported the same without amendment.

The said bills were then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr Guthrie, from the committee for courts of justice—1. A bill to permit the county court of McCracken county to lay their county levy at their February or March term, and for other purposes.

2. A bill to amend the laws imposing a duty on sales at auction for the benefit of the Louisville Hospital.

3. A bill authorizing Charles Glover to sell a tract of land belonging to the heirs of William Flood, deceased.

4. A bill allowing compensation to the clerk of the county court and sheriff of the county of Jefferson, and for other purposes.

Which bills were severally received, and read the first time, and (with the exception of the third, which was laid on the table) ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first, second and fourth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The amendments proposed by the Senate, to bills which originated in this house of the following titles, were twice read, and concurred in.

An act to amend the law of descents and for the distribution of intestates' estates.

An act for the benefit of William Crook.

An act for the benefit of McIlvain and Smith—and

An act to establish an election precinct in Livingston county, and for other purposes.

*Ordered*, That the clerk inform the Senate thereof.

The following engrossed bills were severally read a third time:

1. An act to provide for the improvement of the road from the Estill county line, by way of Perry court house, to the Virginia state line, and for other purposes.

2. An act to amend an act entitled, an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830.

3. An act to prevent free negroes, mulattoes and slaves from selling spirituous and other liquors.

4. An act to amend the laws in relation to guards for criminals in jail, and for other purposes—and

5. An act for the benefit of the Louisville Hospital.

*Ordered*, That the fourth bill be recommitted to a select committee of Messrs Love, Ewing and Churchill.

*Resolved*, That the first, second, third and fifth bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The yeas and nays being required on the passage of the fifth bill, by Messrs —— and Guthrie, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. C. Allan, Anderson, Beall, Brown, Butler, Burns, Calhoon, Chambers, Churchill, Colglazer, Colyer, Crutchfield, Curd, Dickson, Dyer, Fields, Fowler, Gaines, Gass, Grigsby, Grundy, Guthrie, Heady, Helm, Hickman, Hobbs, Hunton, E. L. Johnson, Lewis, Love, J. K. Marshall, J. T. Morehead, Murray, New, Patton, Preston, Robb, Roberts, Shanks, Speedsmith, Spalding, Strother, Thomas, Ward, A. S. White, D. White, G. W. Williams and Wilson—49.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Cassidy, Chiles, Copeland, Dawson, Ewing, Girton, Hall, Hardy, Harris, Hayes, Haynes, Henderson, Jackson, James, A. Johnson, Lackey, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Norvell, Patterson, Patrick, Pierce, Ray, Rodes, Rudd, Sisk, Smith, Stewart, Tomlinson, Tompkins, True, Turner, Vallandigham, S. Williams, W. J. Williams, Wortham and Yantis—44.

An engrossed bill entitled, "an act to improve the navigation of Nolin," was read a third time.

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

The yeas and nays being required on the passage of said bill, by Messrs E. L. Johnson and Wortham, were as follows:

YEAS—MR. SPEAKER, Messrs. Anderson, Beall, Butler, Calhoon, Chambers, Chiles, Churchill, Colyer, Copeland, Dyer, Ewing, Fowler, Gaines, Gass, Grigsby, Grundy, Guthrie, Hardy, Heady, Helm, Hickman, Love, McNary, J. K. Marshall, P. Morehead, Murray, New, Patton, Preston, Robb, Roberts, Rudd, Russell, Shanks, Spalding, Stewart, Strother, Thomas, Tomlinson, Vandigham, Ward, A. S. White, G. W. Williams, Wilson and Wortham—46.

NAYS—Messrs B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Colglazer, Dawson, Fields, Hall, Harris, Hayes, Henderson, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Norvell, Patterson, Patrick, Phelps, Pierce, Ray, Rodes, Sisk, Smith, Speedsmith, Stotts, Stout, Tompkins, True, D. White, Whittington, S. Williams, W. J. Williams and Yantis—44.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

An engrossed bill entitled, an act to repeal an act entitled, an act to encourage the general diffusion of education in this Commonwealth, by the establishment of an uniform system of public schools, so far as regards the counties of Christian and Madison, was read a third time.

And the question being taken on the passage thereof, it was decided in the negative, and so the said bill was rejected.

A bill more effectually to prevent the importation of slaves into this state, as merchandise, was read, as amended, as follows, viz:

Sec. 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That none shall be slaves, except such as shall be slaves within this Commonwealth, on the first day of June next, and the descendants of the females of them and such slaves as shall thereafter be lawfully imported into this Commonwealth, and the descendants of the females of them.

Sec. 2. *Be it further enacted*, That from and after the said first day of June, it shall not be lawful for any person, or persons, to import into this Commonwealth, any slave or slaves, except emigrants to the state, bringing their slaves with them, for their own use, and not for merchandise, and citizens of this state, claiming slaves in another state, by devise, descent, or marriage; in all which cases, it shall be lawful for any such persons, to import such slaves for their own use, and not as merchandise.

Sec. 3. All laws now in force, prohibiting the importation of slaves into this Commonwealth, shall be, and the same are here-

by repealed, from and after the said first day of June: *Provided*, That the provisions of this bill shall not apply to persons transiently passing through the Commonwealth, with slaves, on their way to any other state or country: *Provided*, That nothing in this act shall be so construed as to prevent persons emigrating to this state, and settling permanently in it, from selling their slaves.

The question was then taken on engrossing the said bill, for a third reading, which was decided in the negative, and so the said bill was rejected.

The yeas and nays being required thereon, by Messrs. Love and Chambers, were as follows, viz:

YEAS—Mr. SPEAKER, Messrs. C. Allan, B. Allen, Barrett, Brown, Butler, Burns, Cassidy, Colglazer, Crutchfield, Curd, Fields, Fowler, Gaines, Grundy, Guthrie, Hayes, Henderson, Hobbs, Hunton, Jackson, A. Johnson, E. L. Johnson, Love, McAfee, J. T. Morehead, Murray, Patrick, Phelps, Rodes, Rudd, Russell, Shanks, Smith, Speedsmith, Strother, Thomas, Tomlinson, Tompkins, Turner, A. S. White, D. White, Wortham and Yantis—44.

NAYS—Messrs. Anderson, Baker, Barlow, Beall, Calhoon, Chambers, Chiles, Churchill, Colyer, Copeland, Dawson, Dickson, Dyer, Ewing, Gass, Girton, Grigsby, Hall, Hardy, Harris, Haynes, Heady, Helm, Hickman, James, Lackey, Lewis, McNary, J. K. Marshall, Mize, P. Morehead, New, Norvell, Patterson, Pierce, Preston, Ray, Robb, Roberts, Sisk, Sprigg, Stewart, Stotts, Stout, True, Vallandigham, Ward, Whittington, G. W. Williams, S. Williams, W. J. Williams and Wilson—52.

The following bills from the Senate, were severally read a third time.

1. An act repealing all laws allowing licenses to billiard table keepers, and for other purposes.

2. An act for the benefit of John Staton.

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

A bill from the Senate, entitled, an act for the benefit of the heirs of Henry Perkins, deceased—was read a second time, amended, and ordered to be read a third time.

And the rule of the house, and third reading of said bill having been dispensed with:

*Resolved*, That the said bill, as amended, do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the said amendments.

A bill regulating the tax on merchandise, was read a second time.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor did, on this day, approve and sign sundry enrolled bills, which originated in this House, of the following titles:

An act to amend an act entitled, “an act for the benefit of Elizabeth Griffin, and for other purposes.”

An act for the benefit of Tabitha Alford.

An act to amend the several acts incorporating the Louisville Turnpike Company.

An act to authorize the overseer of the Crab Orchard and wilderness road to work on Water street, in the town of Mount Vernon.

An act to amend an act entitled, an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes.

Approved January 12th, 1831.

*Ordered*, That the clerk inform the Senate thereof.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house to a bill from the Senate, entitled an act for the benefit of the heirs of Quinton Stewart.

Their disagreement to bills which originated in this house of the following titles, viz:

An act to divorce Edmund and Sarah Mountjoy.

An act to divorce Daniel Holder from his wife Mariah Holder.

An act to amend an act, entitled, “an act to regulate the solemnization of marriages,” approved February 3, 1798.

An act for the benefit of Nicholas Keating and Hawkins Gregory.

The passage of bills which originated in this house, of the following titles, viz:

An act to regulate the criminal terms of the Jefferson circuit court.

An act to amend an act entitled, an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes, approved February 8th, 1819.

An act to authorize the justices of the county court of Hancock county to increase the county levy.

An act to authorize the sale of an alley in the town of Mount Sterling, running between lots 49 and 50, in the plan of said town.

An act for the benefit of M’Ilvain and Smith.

An act to establish an election precinct in Livingston county, and for other purposes.

An act to amend the law of descents, and for the distribution of intestates' estates—with amendments to the three latter bills.

And the passage of bills of the following titles, viz:

An act for the benefit of the county of Bracken.

An act for the benefit of the devisees of John Donaldson, George Stockton and James Lewis.

An act for the benefit of Radford McCargo.

An act for the benefit of Lydia McCord and her infant children.

An act to authorize a subscription in the stock of the Maysville, Washington, Paris and Lexington Turnpike Road Company, and to amend the several acts incorporating said company.

An act appointing commissioners to review a state road leading from Owenton to Ghent, on the Ohio river.

An act appointing a Keeper of the Penitentiary.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles, and had found the same truly enrolled, viz:

An act to extend the law concerning private passways.

An act for the benefit of John Montee.

An act to authorize the editor of the Gleaner and Cynthiana Republican to publish advertisements.

An act providing for the appointment of Commonwealth's attorneys.

A bill to amend an act entitled, an act establishing a turnpike on the road leading from Georgetown to Cincinnati, and for other purposes, approved February 8th, 1819.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Barlow inform the Senate thereof.

A bill from the Senate entitled, an act to authorize a subscription in the stock of the Maysville, Washington, Paris and Lexington Turnpike Company, and to amend the several acts incorporating said company, was read the first time, the second reading dispensed with, and referred to the committee on internal improvements.

The house then, according to the standing order of the day, resolved itself into a committee of the whole house on the state of the Commonwealth—Mr Turner in the chair—and after some time spent therein, the Speaker resumed the chair, and Mr Turner reported that the committee had, according to order, had under consideration "a bill for the appropriation of money," and had gone through the same with sundry amendments, which he handed in at the clerk's table; and which being twice read, were concurred in.

Mr Sprigg then moved to amend said bill, by attaching thereto, the following section:

That hereafter there shall be allowed each, to the Auditor and Register \$1900, per annum, instead and in lieu of the salary now allowed them by law, to be paid quarterly as heretofore.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon, by Messrs Churchill and Sprigg, were as follows, viz:

YEAS—Messrs. Barrett, Love and Sprigg—8.

NAYS—MR. SPEAKER, Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Beall, Brown, Butler, Burns, Calhoon, Cassidy, Chambers, Chiles, Chowning, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dawson, Dickson, Dyer, Ewing, Fields, Fowler, Gaines, Girton, Gibbs, Grundy, Hall, Hardy, Harris, Hayes, Haynes, Helm, Henderson, Hickman, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Murray, New, Norvell, Patterson, Patrick, Patton, Phelps, Pierce, Preston, Ray, Rodes, Robb, Rudd, Russell, Sisk, Smith, Speedsmith, Spalding, Stewart, Stotts, Stout, Strother, Thomas, Tomlinson, Tompkins, True, Turner, Vallandigham, Ward, A. S. White, D. White, Whittington, G. W. Williams, S. Williams, W. J. Williams, Wilson, Wortham and Yantis—90.

And then the House adjourned.

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THURSDAY, JANUARY 13, 1831.

Mr Fields, from the select committee, to whom was referred a bill from the Senate, entitled, an act to provide for the opening of a road from Frankfort to King's ferry, on the Ohio river, by the way of Newcastle, in Henry county, reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house to bills from the Senate, of the following titles, viz:

An act further to regulate the town of Springfield.

An act for the benefit of the heirs of Henry Perkins, deceased—with amendments to the amendments made by this house to the latter bill.

Their disagreement to bills which originated in this house of the following titles, viz:

An act to amend the law concerning water grist mills.

An act regulating the taking the recognisance for keeping peace.

The passage of bills which originated in this house, of the following titles, viz:

An act authorizing Thomas Taylor and the heirs of George Shrader, deceased, to erect a mill-dam across Rough Creek, in Ohio county.

An act to improve the navigation of the Big South Fork of Cumberland river, and for other purposes.

An act confirming the right of David and John Trimble, in the erection of a dam at their Iron works, on Little Sandy river, in Greenup county.

An act to legalize the proceedings of the Whitley and Laurel county courts.

An act to regulate the criminal terms of the Jefferson circuit court.

An act authorizing the sale of the Baptist church and lot in Mountsterling.

An act to change the venue in the case of James McKinney—with an amendment to each of the two latter bills.

Their concurrence in the amendments proposed by this house, upon concurring in those proposed by the Senate, to a bill which originated in this house, entitled, an act to extend and alter the terms of certain circuit courts.

The passage of a bill entitled, an act for the benefit of the heirs of Nehemiah Webb, deceased.

And that the Senate had received official information, that the Governor did, on yesterday, approve and sign enrolled bills, which originated in the Senate, of the following titles:

An act for the benefit of John Montee.

An act to extend the laws concerning private passways.

An act providing for the appointment of Commonwealth's attorneys.

An act for the benefit of Jacob Ward and William Fisher.

An act to authorize the editor of the Gleaner and Cynthiana Republican to publish advertisements.

Approved 12th January, 1831.

Mr Gaines presented the petition of sundry citizens of this Commonwealth, praying a repeal, or modification, of an act of assembly, passed in 1819, establishing a turnpike on the road leading from Georgetown to Cincinnati, which was received, read, and referred to the committee on internal improvement.

Mr Vallandigham, from the select committee, to whom was referred a bill to add a part of Gallatin county to the county of Grant, reported the same without amendment.

*Ordered*, That the said bill be recommitted to the committee of propositions and grievances.

Mr Wilson, from the select committee, to whom was referred a bill from the Senate, entitled, an act to amend the act concerning the public highways in the county of Fayette, and for other purposes, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision, and third reading of said bill having been dispensed with:

*Resolved*, That the said bill, as amended, do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in said amendment.

The amendments proposed by the select committee, to a bill from the Senate, entitled, an act to amend the law concerning the powers of the trustees of the town of Glasgow, and for other purposes—were read, and concurred in; and the said bill, as amended, ordered to be read a third time.

And thereupon, the rule of the house, and third reading of said bill having been dispensed with:

*Resolved*, That the said bill, as amended, do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the said amendments.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Barlow—1. A bill to authorize the Sheriff of Monroe county to execute a bond for the collection of the revenue tax and county levy of said county.

By Mr Jackson—2. A bill to regulate the tolls at the Madison and Crab Orchard gates, on the turnpike and wilderness road, and for other purposes.

By Mr Beall—3. A bill to amend the militia laws.

By Mr Speedsmith—4. A bill to regulate the fees of the clerks of the circuit and county courts.

By Mr Helm—5. A bill incorporating the Green river Bridge Company.

By Mr Whittington—6. A bill to authorize the Trustees of Woodford Academy to make sale of certain property.

By Mr Butler—7. A bill to incorporate the Frankfort and Lexington Turnpike Company.

By Mr Murray—8. A bill for the benefit of the Sheriff of Calloway county.

Which bills were severally received, and read the first time;

the first, fourth, fifth, sixth, seventh and eighth ordered to be read a second time; and the second and third laid on the table.

And thereupon, the rule of the house, constitutional provision and second reading of the first, fourth, fifth, sixth, seventh and eighth bills having been dispensed with; the first, sixth, seventh and eighth bills were ordered to be engrossed and read a third time; the fourth was committed to a select committee of Messrs Speedsmith, Barrett and Hickman; and the fifth, to the committee on internal improvement.

And thereupon, the rule of the house, constitutional provision and third reading of the first, sixth, seventh and eighth bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

Mr New, from the select committee, to whom was referred a bill to amend the militia laws, reported the same with amendments.

It was then moved and seconded to lay the said bill on the table until Saturday next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs —— and ——, were as follows:

YEAS—Messrs. C. Allan, Brown, Burns, Dawson, Dyer, Grigsby, Hardy, McAfee, McNary, J. K. Marshall, W. N. Marshall, Stotts, Turner, D. White and S. Williams—15.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Butler, Cassidy, Chiles, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dickson, Ewing, Fields, Gaines, Girton, Grundy, Guthrie, Hall, Harris, Hayes, Haynes, Helm, Henderson, Hickman, Hobbs, Hunton, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, Mize, J. T. Morehead, P. Morehead, Murray, New, Norvell, Patterson, Patrick, Patton, Pierce, Preston, Ray, Rodes, Robb, Roberts, Rudd, Shanks, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stout, Strother, Thomas, Tompkins, True, Vallandigham, Ward, A. S. White, G. W. Williams, W. J. Williams, Wilson, Wortham and Yantis—70.

The said amendments were then concurred in; and the said bill, as amended, ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered,* That the clerk carry the said bill to the Senate and request their concurrence.

The house resumed the consideration of a bill for the appropriation of money.

It was then moved by Mr —— to reconsider the vote on yesterday, adopting the following clause:

To the Auditor of Public Accounts, to enable him to pay an additional clerk, required by the act regulating the duties of the clerks of this Commonwealth; and to the Register of the Land office, to enable him to pay an additional clerk, required to record the surveys in his office, four hundred dollars each.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Burns and Churchill, were as follows:

YEAS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Butler, Cassidy, Churchill, Colyer, Copeland, Dawson, Ewing, Fields, Gass, Girton, Grundy, Hall, Hardy, Harris, Hayes, Helm, Henderson, Hobbs, Jackson, James, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, P. Morehead, Norvell, Patterson, Patrick, Preston, Ray, Robb, Sisk, Smith, Stout, Thomas, Tompkins, Ward, A. S. White, S. Williams, W. J. Williams and Wortham—48.

NAYS—MR SPEAKER, Messrs C. Allan, Anderson, Beall, Burns, Chambers, Chiles, Colglazer, Crutchfield, Curd, Dyer, Fowler, Gaines, Guthrie, Haynes, Hickman, Hunton, A. Johnson, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Patton, Phelps, Pierce, Rodes, Rudd, Russell, Shanks, Speedsmith, Sprigg, Stewart, Stotts, Strother, True, Turner, Vallandigham, D. White, Whittington, G. W. Williams, Wilson and Yantis—43.

The question was then again put, on adopting the said clause as an amendment to the bill:

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs B. Allen and Dawson, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Chambers, Chiles, Colglazer, Crutchfield, Curd, Dyer, Fowler, Gaines, Grigsby, Haynes, Hickman, Hunton, A. Johnson, McNary, J. K. Marshall, J. T. Morehead, New, Patton, Phelps, Pierce, Rodes, Rudd, Russell, Shanks, Speedsmith, Stewart, Strother, True, Turner, Vallandigham, A. S. White, D. White, Whittington, G. W. Williams and Wilson—39.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Butler, Burns, Cassidy, Churchill, Copeland, Dawson, Ewing, Fields, Gass, Girton, Grundy, Hall, Hardy, Harris, Hayes, Helm, Henderson, Hobbs,

Jackson, James, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, P. Morehead, Murray, Norvell, Patterson, Patrick, Preston, Ray, Robb, Sisk, Smith, Sprigg, Stotts, Stout, Thomas, Tompkins, Ward, S. Williams, W. J. Williams, Wortham and Yantis—51.

Mr G. W. Williams then moved to amend said bill, by attaching thereto the following clause:

To the Auditor of Public Accounts and Register of the Land office, for additional clerk hire, the sum of three hundred and fifty dollars each.

A division of the question was called for, and the question first put on allowing the Auditor \$350, for clerk hire, which was decided in the negative.

The yeas and nays being required thereon, by Messrs B. Allen and G. W. Williams, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Chambers, Colglazer, Crutchfield, Curd, Dickson, Dyer, Fowler, Gaines, Gribby, Guthrie, Haynes, Hickman, Hunton, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Patton, Phelps, Rodes, Roberts, Rudd, Russell, Shanks, Speedsmith, Sprigg, Stewart, Strother, True, Turner, Vallandigham, D. White, Whittington, G. W. Williams and Wilson—41.

NAYS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chiles, Chowning, Churchill, Colyer, Copeland, Dawson, Ewing, Fields, Girton, Grundy, Hall, Hardy, Harris, Hayes, Helm, Henderson, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, Mize, P. Morehead, Norvell, Patterson, Patrick, Pierce, Preston, Ray, Robb, Smith, Spalding, Stotts, Stout, Thomas, Tompkins, Ward, A. S. White, S. Williams, W. J. Williams, Wortham and Yantis—52.

The question was then taken on allowing \$350 to the Register, for clerk hire, which was decided in the negative.

The yeas and nays being required thereon, by Messrs B. Allen and Dawson, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. Anderson, Beall, Butler, Chambers, Chiles, Curd, Dickson, Dyer, Fowler, Gaines, Guthrie, A. Johnson, E. L. Johnson, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Patton, Phelps, Pierce, Preston, Roberts, Rudd, Russell, Shanks, Speedsmith, Sprigg, Stewart, Turner, Vallandigham, D. White, Whittington, G. W. Williams and Wilson—36.

NAYS—Messrs. C. Allan, B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Dawson, Ewing, Fields, Gass, Girton, Grigsby, Grundy, Hall, Hardy, Harris, Hayes, Henderson, Hobbs, Jackson, James, Lackey, Lewis, McAfee, W. N. Marshall, Mize, P. Morehead, Norvell, Patterson, Patrick,

Rodes, Robb, Sisk, Smith, Spalding, Stotts, Stout, Strother, Thomas, Tompkins, True, Ward, A. S. White, S. Williams, W. J. Williams, Wortham and Yantis—54.

The said bill, having been amended, was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate and request their concurrence.

Mr J. T. Morehead, from the committee on internal improvements, to whom was referred a bill from the Senate entitled, an act to authorize a subscription of stock of the Maysville, Washington, Paris and Lexington Turnpike Road Company, and to amend the several acts incorporating said company, reported the same without amendment.

Mr Love thereupon, moved the following resolution in relation to said bill, viz:

*Resolved*, That this bill be recommitted to the committee on internal improvement, with instructions to report a bill establishing a general system of internal improvement, having for its object a fair and equal distribution of the public funds, and having due regard to the relative importance of the principal roads in this Commonwealth.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Love and Chambers, were as follows, viz:

YEAS—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Chiles, Chowning, Colglazer, Colyer, Copeland, Dawson, Dyer, Ewing, Fields, Girton, Grigsby, Grundy, Hall, Hardy, Harris, Hayes, Helm, Hunton, Jackson, James, Lackey, Lewis, Love, McAfee, W. N. Marshall, Mize, P. Morehead, Murray, Norvell, Patterson, Patrick, Preston, Ray, Robb, Roberts, Sisk, Smith, Stout, Tompkins, S. Williams, W. J. Williams, Wortham and Yantis—49.

NAYS—MR SPEAKER, Messrs C. Allan, Anderson, Beall, Butler, Cassidy, Chambers, Churchill, Crutchfield, Curd, Dickson, Fowler, Gaines, Gass, Guthrie, Haynes, Heady, Henderson, Hickman, Hobbs, A. Johnson, E. L. Johnson, McNary, J. K. Marshall, J. T. Morehead, New, Patton, Phelps, Pierce, Rodes, Rudd, Russell, Shanks, Speedsmith, Spalding, Sprigg, Stewart, Strother, Thomas, True, Turner, Vallandigham, Ward, A. S. White, D. White, Whittington, G. W. Williams and Wilson—48.

On the motion of Mr Ewing, the vote recommitting said bill to the committee on internal improvement, with the instructions aforesaid, was reconsidered.

The question was then again put on recommitting the said bill to the committee of internal improvement, with the instructions aforesaid, which was decided in the negative.

The said bill was then ordered to be read a third time to-morrow.

The following bills from the Senate, were severally read a second time, and ordered to be read a third time, to-wit:

1. An act to amend an act entitled, an act to provide for the erection of two bridges across Rockcastle river.

2. An act for the benefit of Peleg Underwood.

And thereupon, the rule of the house, constitutional provision and third reading of the latter bill, having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles:

An act for the benefit of Christopher Heavner.

An act to permit James Lewis to build a mill-dam across the North fork of the Kentucky river.

An act to authorize John Gose to change a part of the state road in Morgan county.

An act to confirm an order of the county court of Perry, allowing Jeremiah Combs to build a mill-dam across the North fork of the Kentucky river.

An act to amend an act entitled, an act to change the boundary line between Rockcastle and Laurel counties, approved January 27, 1830.

An act to extend the terms of the Oldham and Spencer circuit courts.

An act to appoint commissioners to settle with the trustees of the Estill seminary lands, and for other purposes.

An act to add a part of Ohio county to Breckenridge.

An act to change the venue for the trial of David Turnham.

An act to authorize the publishing advertisements in the Louisville Journal.

An act for the benefit of Stephen Richardson, Jackson D. Jameson and John Emberson Brown.

An act for the benefit of Samuel Blain.

An act to change the time of holding the circuit courts in the fourth judicial district, and for other purposes.

An act to change the place of voting in the upper precinct in Monroe county.

An act to appropriate the fines and forfeitures of Monroe county, to the improvement of the roads in said county.

An act to change the time of holding certain circuit courts.

An act to establish a state road from Hopkinsville, by the way of Cadiz, Canton and J. C. Pentecost's ferry, on the Tennessee river, Waidsboro and Mayfield, to the town of Columbus, on the Mississippi river.

An act to amend an act entitled, "an act for the benefit of Jereboam Beauchamp, approved January, 1829."

An act to improve certain roads in Caldwell county.

An act for the benefit of John Staton.

An act to establish an election precinct in the county of Henderson and in the county of Hopkins.

An act for the benefit of the Washington Academy.

An act for the benefit of Gustavus Brown.

An act establishing the town of Poplar Plains, in Fleming county.

An act to amend the law in relation to keeping the public roads in repair.

An act for the benefit of the actual settlers west of the Tennessee river.

An act to establish the town of Colemansville.

An act directing the county courts of the counties through which the state road from Cloverport to Bowlinggreen passes, to appoint surveyors to keep the same in repair.

An act for the benefit of the heirs of Quinton Stewart.

An act to repeal an act entitled, an act for the purpose of having the Edmonson county line run from White's to Hunter's, and also to run the line between Edmonson and Barren, approved January 29, 1830.

And a resolution directing two rooms in the capitol to be fitted up for a library—and had found the same truly enrolled.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That Mr Barlow inform the Senate thereof.

A message was received from the Senate, announcing their disagreement to bills which originated in this house of the following titles:

An act for the benefit of mechanics in the city of Louisville.

An act for the benefit of Masterson Ogden.

The passage of bills which originated in this house, of the following titles:

An act restoring the ferry privileges to the town of Columbus.

An act providing for completing the road from Beaver Iron works, in Bath county, by way of West Liberty to Louisa.

An act to prevent future confliction in land claims, and to secure to seaters and improvers a preference of location to lands improved by them—and

An act for the benefit of A. R. Macey and P. S. Loughborough—with an amendment to the latter bill.

And the passage of bills of the following titles:

An act for the benefit of William Hardin.

An act to authorize the executors of Samuel Givens, deceased, to convey lands sold by said Givens in his lifetime.

And their concurrence in a resolution which originated in this house, "respecting that part of the state line between the states of Kentucky and Tennessee, adjoining the counties of Trigg, Simpson, &c."

A resolution from the Senate, to postpone the election of a Senator in Congress, was taken up and twice read.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs. E. L. Johnson and Turner, were as follows, viz:

YEAS—MR. SPEAKER, Messrs. C. Allan, Anderson, Baker, Barlow, Barrett, Brown, Butler, Burns, Cassidy, Chambers, Chiles, Colglazer, Colyer, Copeland, Curd, Dawson, Dyer, Ewing, Fields, Fowler, Gaines, Girton, Grundy, Hall, Hardy, Harris, Hayes, Helm, Henderson, Hobbs, Jackson, Lackey, McNary, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, Patrick, Patton, Phelps, Pierce, Robb, Russell, Sisk, Smith, Spalding, Stewart, Stotts, Stout, Tompkins, Ward, A. S. White, D. White, W. J. Williams and Wortham—57.

NAYS—Messrs. B. Allen, Beall, Calhoen, Chowning, Churchill, Crutchfield, Dickson, Gass, Haynes, Hickman, Hunton, A. Johnson, E. L. Johnson, Lewis, McAfee, Murray, New, Norvell, Patterson, Preston, Ray, Rodes, Roberts, Rudd, Shanks, Speedsmith, Sprigg, Strother, Thomas, True, Turner, Vallandigham, Whittington, G. W. Williams, S. Williams, Wilson and Yantis—37.

*Ordered*, That the clerk inform the Senate thereof.

The house then proceeded to the election of the public officers, in conjunction with the Senate; and after exchanging nominations with the Senate for Treasurer, proceeded to take a vote.

Whereupon a committee was appointed on the part of this house, to meet a committee from the Senate, to compare the joint vote; who reported that James Davidson had the unanimous vote of both houses for Treasurer for the ensuing year, and he was thereupon declared duly elected.

The house then, after exchanging nominations for public printer with the Senate, (Messrs Gervas E. Russell, Jacob H. Hole-

man, and Dana and Hodges being on nomination,) proceeded to take a vote for that office, which stood thus:

For Mr. RUSSELL—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Fields, Fowler, Girton, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, Jackson, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—47.

For Mr. HOLEMAN—Mr. SPEAKER, Messrs Anderson, Beall, Butler, Calhoon, Chambers, Chiles, Crutchfield, Curd, Dickson, Ewing, Gaines, Gass, Grigsby, Hayes, Haynes, Helm, Hunton, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patton, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, Vallandigham, A. S. White, G. W. Williams, Wilson and Yantis—40.

For Messrs. DANA AND HODGES—Messrs. C. Allan, Colglazer, Colyer, Dyer, Harris, Hickman, Patrick, Pierce, True, Turner and S. Williams—11.

The committee appointed to compare the joint vote then retired, and after a short time reported the joint vote to stand thus:

For Mr. Russell.	J. H. Holeman.	Dana and Hodges.
65.	59.	12.

136 votes given.

No one on nomination, having obtained a majority of all the votes given, the house proceeded to take a second vote, which stood thus:

For Mr. RUSSELL—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Fields, Girton, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—46.

For Mr. HOLEMAN—Mr. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Calhoon, Chambers, Chiles, Colglazer, Crutchfield, Curd, Dickson, Ewing, Fowler, Gaines, Gass, Grigsby, Hayes, Haynes, Helm, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, Vallandigham, A. S. White, G. W. Williams, Wilson and Yantis—45.

For Messrs. DANA AND HODGES—Messrs. Colyer, Dyer, Harris, Hickman, Jackson, Pierce, True, Turner and S. Williams—9.

The same committee again retired, and after a short time returned, and reported the joint vote to stand thus:

For Mr Russell. J. H. Holeman. Dana and Hodges.  
64. 65. 9.

138 votes given.

No one on nomination having yet obtained a majority of all the votes given, the house proceeded to take a third vote between them, which stood thus:

For Mr. RUSSELL—Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Chowning, Churchill, Copeland, Dawson, Fields, Girton, Grundy, Guthrie, Hall, Hardy, Heady, Henderson, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, McAfee, W. N. Marshall, Mize, Murray, Norvell, Patterson, Phelps, Preston, Robb, Roberts, Sisk, Speedsmith, Sprigg, Stotts, Tomlinson, Tompkins, Ward, D. White, Whittington, W. J. Williams and Wortham—47.

For Mr. HOLEMAN—MR. SPEAKER, Messrs. C. Allan, Anderson, Beall, Butler, Calhoun, Chambers, Chiles, Colglazer, Colyer, Crutchfield, Curd, Dickson, Dyer, Ewing, Fowler, Gaines, Gass, Grigsby, Harris, Hayes, Haynes, Helm, Hickman, Hunton, Love, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, New, Patrick, Patton, Pierce, Ray, Rodes, Rudd, Russell, Shanks, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Turner, Vandandigham, A. S. White, G. W. Williams, S. Williams, Wilson and Yantis—53.

For Messrs. DANA and HODGES—None.

The same committee again retired, and after a short time returned, when the joint vote was reported by them to stand thus:

For Mr Russell. J. H. Holeman.  
65. 73.

No. of votes given 138.

Mr Holman having obtained a majority of the votes of both houses, was thereupon declared duly elected public printer.

The house then proceeded (after exchanging nominations with the Senate) to take a vote for a President of the Bank of Kentucky.

The committee appointed to compare the joint vote, then retired, and after a short time reported that P. Dudley, Esq. had received the unanimous vote of both houses, and he was thereupon declared duly elected.

The house then proceeded (after an exchange of nominations with the Senate, for the office of President of the Bank of the Commonwealth,) to take a vote between Joseph Smith, Henry Wingate and James W. Denny, the candidates on nomination, which stood thus:

For Mr. SMITH—Messrs. Dawson, Hayes, McNary, New, Norvell, Patterson, Patton, Rodes, Stewart, Stout, Strother, Thomas, True, Vandigham, Whittington and Yantis—16.

For Mr. WINGATE—Messrs. Anderson, Baker, Barrett, Brown, Butler, Burns, Calhoon, Cassidy, Chambers, Chiles, Chowning, Colyer, Cope-land, Curd, Dyer, Ewing, Fowler, Gaines, Gass, Girton, Grundy, Hall, Hardy, Harris, Haynes, Helm, Henderson, Hickman, Hobbs, Jackson, James, A. Johnson, E. L. Johnson, Lackey, Lewis, J. K. Marshall, W. N. Marshall, Mize, J. T. Morehead, P. Morehead, Murray, Patrick, Pierce, Preston, Ray, Robb, Russell, Shanks, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stotts, Tompkins, Ward, A. S. White, G. W. Williams, S. Williams, W. J. Williams, Wilson and Wortham—62.

For Mr. DENNY—Mr. SPEAKER, Messrs. C. Allan, Barlow, Beall, Churchill, Colglazer, Crutchfield, Dickson, Fields, Grigsby, Guthrie, Heady, Hunton, Love, McAfee, Phelps, Roberts, Rudd, Tomlinson, Turner and D. White—21.

The committee appointed to compare the joint vote, then retired, and after a short time returned, when the joint vote was reported by them to stand thus:

For Jos. Smith. Shannon. Henry Wingate. James W. Denny.

25.	1.	87.	24.
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A majority of all the votes given, appearing in favor of Mr. Henry Wingate, he was thereupon, declared duly elected.

The house then, after exchanging nominations with the Senate, for Directors, on the part of the state, to the Bank of Kentucky, and for Directors for the Bank of the Commonwealth, proceeded to take the votes for those officers.

The committee to compare the joint vote of the two houses, then retired, and after a short time returned, when said committee reported that Charles S. Morehead and James Shannon had each received the unanimous vote of both houses, as Directors of the Bank of Kentucky, on the part of the state, for the ensuing year; and that Messrs James Davidson, Thos. S. Page, Edward P. Johnson, and Leander J. Sharp, had each received a majority, and the highest number of the votes given, and were duly elected Directors of the Bank of the Commonwealth.

Whereupon, the Speaker declared them elected accordingly.

Mr P. Morehead moved the following resolution:

*Resolved*, That the public printers forthwith print five thousand copies of the lists of the acts passed at the present session.

Which being twice read, was adopted.

And then the House adjourned.

FRIDAY, JANUARY 14, 1831.

*Ordered*, That a message be sent to the Senate, requesting the return of a bill which passed this house, and was reported to the Senate, entitled, an act to prevent free negroes, mulattoes, and slaves from selling spirituous and other liquors, for the purpose of reconsideration; and that Mr White carry the said message.

Mr Stotts, from the select committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of John Judd, reported the same without amendment.

The said bill was then ordered to be read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

Mr Strother presented the remonstrance of sundry citizens of Gallatin, remonstrating against the passage of the bill to add a part of Gallatin county to the county of Grant.

Which was received, read and referred to the committee to whom said bill was referred.

Mr Love, from the committee of claims, to whom was referred a bill for the benefit of John C. Hall, reported the same without amendment.

The said bill was then ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence.

Mr Love, from the same committee, to whom was referred a bill from the Senate, entitled, an act for the benefit of the heirs of Elizabeth Gedding, deceased, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill, as amended, ordered to be read a third time.

And thereupon, the rule of the house, and third reading of said bill having been dispensed with:

*Resolved*, That the said bill do pass.

*Ordered*, That the clerk inform the Senate thereof, and request their concurrence in the said amendment.

Mr Love, from the same committee, made the following report:

The committee of claims have had under consideration the petition of Henry Darnall, praying remuneration for an alleged deficiency in a quarter section of land, west of the Tennessee river, and have come to the following resolution:

*Resolved*, That the said petition be rejected.

Also, the petition of Micajah Harrison, praying to be refunded certain monies, alleged to have been paid by him into the treasury, and have come to the following resolution:

*Resolved*, That the said petition be rejected.

Which being twice read, was concurred in.

Mr Guthrie, from the committee for courts of justice, to whom was referred a bill from the Senate, entitled, an act to establish a new judicial district, reported the same without amendment.

The said bill was then ordered to be read a third time.

Mr Guthrie, from the same committee, made the following report:

The committee of courts of justice have, agreeable to order, had under consideration the petition of the committee of John Clarke, and have come to the following resolution:

*Resolved*, That the petition of the committee of John Clarke, praying for the passage of a law to authorize the sale of real estate, for the payment of debts, be rejected.

Which being twice read, was concurred in.

Mr Guthrie, from the same committee, to whom was referred a bill to alter the mode of summoning jurors, reported the same with an amendment.

Which being twice read, was concurred in.

*Ordered*, That the said bill be laid on the table.

The speaker laid before the house the annual report of the President and Directors of the Louisville and Portland Canal Company, which is in the following words:

*Sixth Annual Report of the President and Directors of the Louisville and Portland Canal Company.*

THE Board present to the Stockholders a statement of the affairs of the Company, and of their proceedings for the past year.

By the last annual report it will be seen, that an Act of the Legislature of this State had been passed, authorizing the Company to make and dispose of 1000 shares of stock in addition to the 6000 shares, previously sold. This stock was offered to the Government of the United States, and a bill authorizing its purchase passed the Senate, in an early part of the session, but was delayed in the House of Representatives until near its close, when it did not receive the approving signature of the President, and of course failed to become a law. Under the full confidence of receiv-

ing this additional aid from the Government, the Board had made contracts for the completion of the work; and had made temporary loans of money to be repaid when it should be received. As soon as it was ascertained that this resource had failed, measures were adopted to negotiate a permanent loan for \$100,000, which was finally effected on terms heretofore communicated to each Stockholder by a circular from the lenders. The sum having been found inadequate, \$30,000 more has been added to the first loan, on the same terms, with the exception of the option of the lenders to receive the stock of the Company for the amount loaned, the Company not having it in their power, without an additional legislative act, to extend their capital stock beyond \$700,000.

The small balance due from Stockholders, was paid early in the year, making up the original capital of \$600,000.

The balance in the Treasury January 1, 1830, was	\$40,777 81
Amount received from Stockholders,	1,600 00
Amount received on permanent loan	129,500 00
Amount received on temporary loans	24,517 65
Amount received for repayments, &c.	479 07
 Total amount of receipts in 1830	 \$196,884 53
The orders of the Board for the past year amount to	196,167 37
 Leaving a balance in the Treasury of	 \$707 16

The orders were given for the following objects of expenditure, viz:

1. On the orders of the Engineer for labor and materials	\$168,302 05
2. Repayment of temporary loans	20,017 65
3. Engineer's and Agents' salaries, and law expenses	4,124 51
4. Incidental expenses, office charges, salaries, printers, &c. &c.	2,374 71
5. Interests and discounts on bills and notes paid	1,348 45
 \$196,167 37	

The Company now owe, on permanent loan

And on temporary loans and liquidated balances

They have on hand a quantity of iron, a steam engine,  
and other moveable property, valued at about

The claims of the company on the original contractors, Collins & Co. having been submitted to a reference, has resulted in an award for a considerable amount in favor of the company. Two unsettled accounts still remain with other contractors of former years, one of which has been agreed to be arbitrated, and neither will probably result against the company to any great extent.

From the experience of the Board, in the small amount of work done in the year 1829, by its being in the hands of one contractor, without

competition, it was deemed essential, for the completion of the work, to divide it into convenient sections, and to place so much only in the hands of efficient men, as they could superintend in person, and thus excite a general competition among the contractors, throughout the whole line of the Canal. Upon that principle, the contractors of 1829 were settled with in February, and public notice given, that the work would be let out in small sections in March. The proposals were numerous, and various in their prices. In selecting the requisite number, the Board exercised a judicious discretion, having regard to the ability to accomplish, as well as to the prices proposed. By the middle of March the whole work was placed in the hands of seven companies of contractors, independent of each other, at prices somewhat lower than those of the former year.

The high water in March and April, and again in June, put the contractors to some inconvenience; but from July to December, no season could have been finer for the prosecution of the work, and the contractors, with some slight exceptions, availed themselves of it to the best of their ability.

On the first of December the water, which had been rising for several days, had attained to near the top of the temporary dam at the head of the Canal, and the whole line of Canal, from the basin to the grand lock, being completely excavated and cleared out, it was deemed advisable to remove the dam and fill the Canal, which was done on that day.

After the water was let in, a careful examination of the whole line was made, and it was found that there were seven feet of water from the basin to the head of the lock, being four feet more than was then on the falls.

In the large amount of work performed the past season, the Board are pleased to state, that the contractors have all been settled with, to the mutual satisfaction of all parties, and that no transaction of the Board for the year that is now closed is unadjusted.

Subjoined the Board submit the report of the Engineer, by which it will be seen, that the Canal is completed, and that it is now in partial operation, and that when the mud deposited in the lower lock is removed, it will be as successful, and of as great public utility, as has been anticipated. Respectfully submitted.

By order of the Board,

JAS. McG. CUDDY, *President.*

SIMEON S. GOODWIN, *Secretary.*

*Office of the Louisville and Portland  
Canal Company, Jan. 3, 1831.*

At a meeting of the Stockholders of the Louisville and Portland Canal Company, at their office in the City of Louisville, Kentucky, January 3, 1831, the report of the President and Directors was received and ordered to be printed.

The following persons were then elected President and Directors, for the present year:

JAMES MCGILLY CUDDY, PRESIDENT.

JAMES RONALDSON,  
JOHN C. BUCKLIN,  
WILLIAM FITCH,  
SIMEON S. GOODWIN,

} Directors.

THOS. HULME, *Chairman.*

[Extract from the Minutes,]

S. S. GOODWIN, *Secretary.*

*To the President and Directors of the Louisville and Portland Canal Company.*

GENTLEMEN:

I present to you the aggregate amount of work done upon the Louisville and Portland Canal, for the past year, together with the estimates of former years, making in all a total and final estimate of work done upon this Canal.

Amount of work done during the years 1826-7.	1828.	1829.	1830.	Total.
Earth excavation—cubic yards . . .	447,391	109,908	61,620	36,330 655,249
Rock " " "	17,964	24,940	27,211	92,436 162,551
Embankments " " "		23,000	105,203	33,203
Mason work—perches of 16½ cubic feet	16,288	14,266	11,434	41,989
Slope wall or pavement . . .		15,467	53,753	44,415 113,635

In submitting the above estimate to your consideration, I would respectfully call your attention to the difference existing between the estimate of January and that of June last, of the amount of money required to complete the Canal, and the actual amount expended, and herewith present the reasons of this difference.

The circumstances under which the estimates were made, both in January and in June, were such as to prevent their being any thing more than approximate, particularly the one of June, for it was made during an inundation of a part of the Canal; and even had it been otherwise, a portion of the rock at the upper end was so situated that no levels or admeasurements could be taken, it being then, and for some time after, covered with earth. Independent, however, of the above circumstances, I was entirely deceived in the character of the excavation in the basin at the head of the Canal, and at or near the steam pump; for instead of finding earth only, as was anticipated in the estimates, a very large deposit of massy timber was found, firmly cemented together with mud, and proved, in the progress of excavation, almost as difficult as the solid rock.

During the years of 1828 and 1829, a deposit was made by the river in the lower lock of about seven feet of mud, which it was reasonably expected, the water, as soon as it was let into the Canal, would wash out; but to accomplish this, a low stage of water was necessary, that the effect to be produced by the opening of the paddle gates might not be destroyed.

A rise, however, in the river before the water was let into the Canal, for a time, entirely frustrated this expectation. Could I have foreseen this event, or had I not been so confident of completing the Canal by the first of November, by which we should have obtained twenty-five or thirty days of low water, I should have excavated the deposite previous to letting the water in, and thereby have removed the only obstruction which now exists to its complete and successful navigation. As it is, the river has been so low for some days past, that we have been able to operate upon the mud; and have so far washed it out, as to permit the passage of boats drawing six feet, when, at the same time, boats of four feet draught could not pass the falls.

When the first lift lock was filling with water, the mitre-sill gave way, and the lock could not be used until it was repaired. It has been removed, and one has been substituted, which answers every purpose.

The experiments which have been made since the water was let into the Canal by the passing of several boats, has furnished to my mind the fullest and most conclusive evidence, that the anticipations relative to the durability and utility of the work will be fully realized, and that the fears of those who, from the great and unusual width and height of the locks, have regarded it as a doubtful experiment, will be completely removed; and, finally, that it is only necessary for the Canal to be put into successful operation, to demonstrate its great and permanent usefulness to the community, and its peculiar and increasing value in a pecuniary point of view to the stockholders themselves.

Respectfully submitted,

JNO. R. HENRY, Eng. L. and P. Canal.

Louisville, Ky. December 31st, 1830.

P. S. For the gratification of the Stockholders, I will state, that the Canal is now in operation, and that the following steamboats have passed since the date of the above report: On the first inst. the steamboat *Cavalier*; on the second, the steamboat *Cumberland*; on this day, the steam-boats *La Grange*, *Virginian*, *Gondola*, and *Tippecanoe*.

J. R. H.

January 3, 1831.

Mr. Guthrie, from the committee for courts of justice, to whom was referred a bill to amend the laws in relation to the trial of the right of property; also, a bill to repeal an act entitled, an act to amend the law in relation to opening and repairing the public roads in certain counties, reported the former without amendment, and the latter with an amendment.

Which was read and concurred in; the former bill was laid on the table, and the latter was ordered to be engrossed and read a third time.

And thereupon, the rule of the house, constitutional provision and third reading of the latter bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

Mr. Yantis presented the remonstrance of sundry citizens of Harrison and Campbell counties, remonstrating against the proceedings instituted for the removal of Henry O. Brown from his office as a circuit judge of this Commonwealth—which was read and laid on the table.

Mr Hobbs, from the committee of religion, made the following report:

The committee of religion have had under their consideration the petition of Margaret Thomas, praying to be divorced from her husband Eli R. Thomas, and have come to a resolution:

*Resolved*, That said petition be rejected.

Which being twice read, was concurred in.

Mr G. W. Williams, from the joint committee appointed to examine the Register's office, made the following report:

The joint committee of the Senate and House of Representatives, appointed to examine and report the state of the Land-Office, have performed the duty required, and report:

That they find transmitted from the Virginia Land-Office, surveys, in bundles numbered from 1 to 273, neatly and newly labelled with an alphabet; also, 25 bundles, containing the caveated and defective surveys, on which grants have issued; 4 bundles of cavedated surveys, 2 bundles defective surveys, and 1 bundle of surveys mislaid from their proper bundles, all neatly and newly labelled, and recorded in 11 volumes, well bound, with a compleate alphabet; 2 bundles of warrants located, and mislaid; 1 bundle copies of wills; 16 volumes the record of grants, issued on the aforesaid surveys, in good order, with a complete alphabet; the record of military warrants from the Virginia land-office, in 2 volumes, with alphabets in good order; a list of Virginia treasury warrants, in two volumes; the record of pre-emption warrants, in one volume; and one volume containing the record of warrants under the proclamation of 1763, with alphabets, and in good order; commissioners' certificates, granted in 1779—80, in three volumes, with alphabets, in good order. The sale books of non-residents' lands, for the years 1800, 1, 2 and 4, have a new alphabet, (though the books are somewhat worn;) the books in which the sales of 1805, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20, are recorded, they find in good order, with alphabets; two volumes in which surveys have been registered since 1792, in good order; the said surveys are tied up in bundles,

numbered from 1 to 145, neatly labelled, with an alphabet; the record of these surveys, together with the record of some grants, in 11 volumes, with an alphabet, in good order. The grants issued on the aforesaid surveys are in 19 volumes, with an alphabet, in good order. The surveys on headright claims are neatly registered, in three volumes, with two alphabets, (one of which is much worn.) The headright platts and certificates of surveys are filed in bundles, numbered from 1 to 313, neatly and newly labelled, and are recorded in 17 volumes, with two alphabets, in good order. The grants issued thereon are recorded in 28 volumes, well bound, with two alphabets, in good order. Land warrants issued under the act of 1800, the surveys and grants on the same, and also the Tellico surveys and grants, are in three volumes; they are registered in one volume, the original surveys tied up in 13 bundles, neatly and newly labelled, all in good order; 9 bundles of certificates, on which warrants have issued; 7 bundles of certificates of sale of non-residents' lands, on which deeds have issued; 1 bundle attorney general's opinions to the register; 3 bundles county court certificates; 7 bundles caveats, since 1792; 4 bundles caveat-ed surveys, since 1792; 2 bundles of surveys, not registered, for want of fees, since 1792; 1 bundle defective surveys, since 1792; 40 bundles of vouchers, on which the late Kentucky land warrants have issued, all neatly and newly labelled, and in good order; one volume containing the surveys under the proclamation of 1763, with an alphabet; 2 volumes of certificates granted in 1796, and 3 volumes in 1798, with alphabets. Anderson and Croghan's military entry books, in 2 volumes, with alphabets; the transcript of Lincoln entries, in 2 volumes, with an alphabet, in good order; May's entries (so called) transcribed, in 5 volumes, with two alphabets, in good order; a volume of Greene's deputy register of surveys made previous to June, 1792; one volume relinquishments, in tolerable order; a list of Kentucky land warrants, issued under the act of 1814, and subsequent acts, in 3 volumes, and the record of said warrants, in 10 volumes; the original surveys made on said warrants, are tied up in 301 bundles, neatly and newly labelled, and recorded in 16 volumes, well bound; the grants issued thereon recorded in 25 volumes, with two alphabets, in good order; the said surveys are neatly registered, in three volumes, with two alphabets, in good order; 3 volumes in which caveats are recorded, with alphabets; 11 books of original entries, from the county of Fayette, neatly transcribed in 4 volumes, well bound, with an alphabet, in good order, agreeably to an act of assembly, approved 5th January, 1824; one book of original entries, from the county of Mercer, one from Bourbon, and one from Nelson, have been returned by the surveyors of said counties, to the register's office, agreeable to an act of assembly, approved February 12th, 1820; all of which books of entries are in order fit to be used. The surveyor of Jefferson county has failed to return the original entries of that county, to the register's office, as your committee have been informed.

by the register. One volume of military grants, for land west of the Tennessee river; one volume in which the surveys for that land are registered, and one volume in which they are recorded; the surveys are neatly tied up in 6 bundles, each volume having a separate alphabet; one volume in which certificates of sales of lands west of the Tennessee river are recorded; three volumes of grants issued thereon, with alphabets, in good order; one volume of Henderson's field notes, (this book is not well bound); one volume in which surveys of land south of Walker's line are recorded; 2 volumes of grants; one volume in which the same are registered, with alphabets, in good order; the surveys of the lands are tied up in 19 bundles, neatly labelled; one volume of the list of warrants south of Walker's line; one volume in which those warrants are recorded; one volume in which the surveys on forfeited lands are registered; one volume of the record of surveys; one volume of grants on the same, with alphabets in good order; 6 bundles of certificates of sale of lands west of the Tennessee river, on which grants have issued, neatly and newly labelled.

Your committee are satisfied, from an examination they have made, that the business in the land office has greatly increased since the reduction of the price of land warrants, and since the lands south of Walker's line and west of the Tennessee river, were brought into market.

Your committee would further remark, that, from the examination of Mr. Macurdy, a very intelligent young gentleman who has been employed as a clerk in the office for several years, they are satisfied, that besides the most constant attention of the Register himself to the duties of his office, he is compelled to expend about eight hundred dollars in clerk hire. Your committee have no hesitation in saying, under the circumstances of increased labor, and the great responsibility and importance of the office, that the former salary of \$2,000 would now be low, on the principle of the most determined disposition of economy and retrenchment, on the part of the legislature. Your committee would therefore most earnestly recommend the passage of a law increasing the salary of the Register of the Land-office, from \$1,500, the present salary, to that of \$2,000.

WILLIS GREEN,	{ Com. of the Senate.
JOHN PAYNE,	
GEO. W. WILLIAMS,	} Com. of the H. R.
J. S. PIERCE,	
WM. HICKMAN,	
WM. R. GRIGSBY, A. JOHNSON,	

Mr C. Allan, from the committee of ways and means, to whom was referred a bill appropriating some of the vacant lands, in the district of country west of the Tennessee river, to the building of bridges in said district, reported the same with an amendment.

Which being twice read, was concurred in; and the said bill as amended, ordered to be engrossed and read a third time.

Mr J. T. Morehead, from the committee on internal improvements made the following report:

The committee on internal improvements, have had under consideration the petition of the President and Directors of the Louisville and Portland Canal Company, and recommend the adoption of the following resolution:

*Resolved*, That the committee be discharged from the further consideration thereof.

The committee have also had under consideration the petition of sundry citizens of Louisville, Shippingport and Portland, praying that the President and Directors of the Louisville and Portland Canal Company be compelled to build a bridge across the canal; and ask to be discharged from the further consideration thereof.

The committee on internal improvements have had under consideration:

1. A bill to authorize the President and managers of the Louisville and Portland Turnpike road company to construct a rail road from Louisville to Portland.

2. A bill to incorporate the Louisville and Portland rail road company—and ask to be discharged from the further consideration of said bills.

Which being twice read, was concurred in.

Mr Morehead, from the same committee, to whom was referred:

1. A bill to provide for building a bridge across Rough creek at the the town of Hartford.

2. A bill to authorize Samuel Hatler and John Hatler to build a mill-dam across Big Barren river.

3. A bill to provide for the erection of a bridge across Nolin where the road leading from Louisville to Nashville crosses the same—reported the same with an amendment to the second bill.

*Ordered*, That the said bills be laid on the table.

The yeas and nays being required on laying the third bill on the table, by Messrs Roberts and ——, were as follows:

YEAS—MR. SPEAKER, Messrs. B. Allen, Baker, Barlow, Barrett, Brown, Burns, Cassidy, Colglazer, Colyer, Curd, Dawson, Ewing, Fields, Girton, Harris, Hayes, Henderson, Hobbs, Hunton, Jackson, Lackey, McAfee, McNary, Mize, J. T. Morehead, P. Morehead, Norvell, Patrick, Pierce, Ray, Rodes, Robb, Sisk, Smith, Stewart, Stotts, Stout, Tompkins, True, Turner, D. White, Whittington, S. Williams and W. J. Williams—45.

NAYS—Messrs. Anderson, Beall, Calhoon, Chiles, Churchill, Crutchfield, Dyer, Fowler, Grundy, Guthrie, Hardy, E. L. Johnson, Love, J. K. Marshall, Murray, Patton, Phelps, Preston, Roberts, Rudd, Shanks,

Sprigg, Strother, Thomas, Tomlinson, Vallandigham, Ward, G. W. Williams, Wilson and Yantis—30.

The following bills were reported from the several committees appointed to prepare and bring in the same, viz:

By Mr Love, from the committee of claims—1. A bill for the benefit of Aaron Hamby.

2. A bill for the benefit of Thomas Smith.

By Mr Guthrie, from the committee for courts of justice—3. A bill for the benefit of the executors of William Prince, deceased, and for other purposes.

4. A bill to amend an act entitled, an act to regulate civil proceedings against certain communities having property in common, approved February 11, 1828.

By Mr J. T. Morehead, from the committee on internal improvements—5. A bill appointing commissioners to build a bridge across the Tar fork of Clover creek.

6. A bill to embrace the county of Pendleton in the provisions of an act to amend the law in relation to opening and repairing the public roads in certain counties.

By Mr Fowler—7. A bill making an appropriation to the Cumberland Hospital.

Which bills were severally received, and read the first time; the first, second, third, fourth, fifth and seventh ordered to be read a second time; and the sixth was laid on the table.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first, second and third bills having been dispensed with, and the same being engrossed:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The house took up the amendments proposed by the Senate to a bill which originated in this house, entitled, an act for the benefit of A. R. Macey and P. S. Loughborough.

Which being twice read, the first was concurred in, and the second disagreed to.

*Ordered*, That the clerk inform the Senate thereof.

The amendments proposed by the Senate to bills which originated in this house, of the following titles, were twice read, and concurred in, viz:

An act to change the venue in the case of James McKinney.

An act authorizing the sale of the Baptist church and lot in the town of Mountsterling.

*Ordered*, That the clerk inform the Senate thereof.

The amendments proposed by the Senate, upon concurring in those proposed by this house, to a bill from the Senate, entitled,

an act for the benefit of the heirs of Henry Perkins, deceased—were twice read, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

Mr Calhoon, from the select committee appointed for that purpose, reported a bill to amend the fifth section of an act entitled, an act further to regulate the Bank of the Commonwealth—which was received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision, and second and third readings of said bill having been dispensed with, and the same being engrossed:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk carry the said bill to the Senate, and request their concurrence.

A message was received from the Senate, announcing their concurrence in the amendments proposed by this house, to a bill from the Senate, entitled, an act for the benefit of John H. Rudd, and others.

Their disagreement to the amendments proposed by this house to a bill from the Senate, entitled, an act for the relief of the sheriff of Gallatin county.

The passage of bills which originated in this house, of the following titles:

An act to amend an act entitled, an act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

An act to compel William Feland, a justice of the peace for Warren county, to surrender up his records and papers to Thomas S. Denton, justice of the peace in Barren county—and

An act for the benefit of the citizens of Scottsville, in Allen county—with an amendment to the latter bill.

And the passage of bills of the following titles:

An act to authorize the Nicholas county court and the Trustees of Carlisle to appropriate money to purchase a fire engine for the use of said town—and

An act to regulate the Madison and Crab Orchard gates, on the turnpike and wilderness state road, and for other purposes.

A message was also received from the Senate, by Mr Wickliffe, requesting permission to withdraw a bill which originated in this house, and was reported to have passed the Senate, entitled, an act to amend an act entitled, an act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

Mr Marshall, from the joint committee of enrolments, reported, that the committee had examined enrolled bills and a resolu-

tion of the following titles, and had found the same truly enrolled, viz:

An act restoring the ferry privileges to the town of Columbus.

An act to prevent future confliction in land claims, and to secure to seaters and improvers a preference of location to lands improved by them.

An act confirming the right of David and John Trimble, in the erection of a dam at their Iron works, on Little Sandy river, in Greenup county.

An act to extend and alter the terms of certain circuit courts of this Commonwealth.

An act to establish an election precinct in Livingston county, and for other purposes.

An act to amend the law of descents and for the distribution of intestates' estates.

An act for the benefit of the committee and family of John Atchison, and for the benefit of John Lear's heirs.

An act to regulate the constables districts in the county of Henry, and to reduce the number to eight.

An act for the benefit of M'Ilvain and Smith.

An act for the benefit of William Crook.

An act to regulate the criminal terms of the Jefferson circuit court.

An an act for the benefit of the heirs of James McCollom, deceased.

An act to authorize the sale of an alley in the town of Mount-sterling.

An act to authorize the justices of Hancock county to increase the county levy.

An act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon.

An act to authorize Thomas Taylor, jr. and the heirs of George Shrader, deceased, to build a mill-dam across Rough Creek, in Ohio county.

An act to legalize the proceedings of the Whitley and Laurel county courts.

An act for the benefit of the heirs of William Ricks.

An act further to regulate the town of Springfield.

An act to authorize the stockholders of the Frankfort Bank to elect an agent to close the concerns of said bank, and for other purposes.

An act further to regulate the public roads in Washington county.

An act for the benefit of the heirs of Elizabeth Jones.

An act to amend the laws regulating conveyances.

[JAN. 14.

An act to amend the law to establish a state road from the mouth of Salt river to intersect the state road leading from Brandenburg to Bowlinggreen, approved January 15, 1829.

An act for the benefit of Peleg Underwood.

An act repealing all laws allowing licenses to billiard table keepers, and for other purposes.

An act to establish and open a road in Barren county.

An act for the benefit of revolutionary soldiers.

An act to establish John Hanna's Warehouse.

And a resolution to postpone the election for Senator.

Whereupon, the Speaker affixed his signature thereto.

*Ordered*, That Mr Marshall inform the Senate thereof.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor did, on this day, approve and sign sundry enrolled bills, which originated in this House, of the following titles:

An act for the benefit of Christopher Heavner.

An act to permit James Lewis to build a mill-dam on the North fork of the Kentucky river.

An act to establish a state road from Hopkinsville, by the way of Cadiz, Canton and J. C. Pentecost's ferry, on the Tennessee river, Wadsworth and Mayfield, to the town of Columbus, on the Mississippi river.

An act to make some change in the state road in Floyd and Morgan counties.

An act to extend the terms of the Oldham and Spencer circuit courts.

An act to change the venue for the trial of David Turnham.

An act to appoint commissioners to settle with the trustees of the Estill seminary lands, and for other purposes.

An act to change the time of holding the circuit courts in the fourth judicial district, and for other purposes.

An act to change the place of voting in the upper precinct in Monroe county, and for other purposes.

An act to add a part of Ohio county to Breckenridge.

An act to authorize the publishing advertisements in the Louisville Journal.

An act for the benefit of Stephen Richardson, Jackson D. Jameson and John Emberson Brown.

An act for the benefit of Samuel Blain.

An act to change the time of holding certain circuit courts.

An act to appropriate the fines and forfeitures of Monroe county, to the improvement of the roads in said county, and for other purposes.

An act to confirm an order of the county court of Perry, al-

lowing Jeremiah Combs to build a mill-dam across the North fork of the Kentucky river.

An act to amend an act entitled, an act to change the boundary line between Rockcastle and Laurel counties.

*Ordered*, That the clerk inform the Senate thereof.

Mr Tomlinson, by leave of the house, reported a bill to establish the Agricultural Bank of Kentucky—which was received, and read the first time; when the orders of the day were called for and taken up.

A bill from the Senate, entitled, an act to authorize a subscription for stock in the Maysville, Washington, Paris and Lexington Turnpike Road Company, and to amend the several acts incorporating said company, was read a third time.

It was then moved and seconded to lay the said bill on the table until the first day of June next.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon, by Messrs McAfee and Marshall, were as follows, viz:

YEAS—Messrs. B. Allen, Anderson, Baker, Barlow, Barrett, Brown, Burns, Chiles, Chowning, Copeland, Dawson, Dyer, Ewing, Fields, Girton, Grigsby, Grundy, Hardy, Harris, Hunton, James, Lackey, Love, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Patterson, Preston, Ray, Sisk, Stotts, Stout, Tomlinson, Tompkins, S. Williams, W. J. Williams, Wortham and Yantis—40.

NAYS—MR SPEAKER, Messrs C. Allan, Beall, Butler, Cassidy, Chambers, Churchill, Colglazer, Colyer, Crutchfield, Curd, Dickson, Fowler, Gass, Guthrie, Hayes, Haynes, Heady, Helm, Henderson, Hickman, Hobbs, Jackson, A. Johnson, E. L. Johnson, Lewis, J. K. Marshall, J. T. Morehead, Murray, New, Norvell, Patton, Phelps, Pierce, Rodes, Robb, Roberts, Rudd, Russell, Shanks, Smith, Speedsmith, Sprigg, Stewart, Strother, Thomas, True, Turner, Vallandigham, Ward, A. S. White, D. White, Whittington, G. W. Williams, and Wilson—55.

A motion to amend said bill by additional sections offered as an engrossed ryder, by Mr Speedsmith, having been negatived:

Mr B. Allen then moved to amend said bill, by attaching thereto the following engrossed clause, by way of ryder, viz:

*Be it further enacted*, That the sum of \$5,000, be and the same are hereby appropriated for the improvement of the road leading from Frankfort to King's Ferry, on the Ohio river, by the way of Newcastle, in Henry county, and for the purpose of carrying the object of the aforesaid appropriation into effect.

*Be it further enacted*, That William Owen and ——, of the county of Franklin; and William R. Roberts, of the county of Shelby; and that Robert Hunter and ——, of the county of

Henry; and that Samuel Rouzee and \_\_\_\_\_, of the county of Oldham; and that Alexand Given and \_\_\_\_\_, of the county of Gallatin, be appointed a board of commissioners to superintend the above road; and that they have power to employ engineers, superintendants, or overseers, to cause such improvement to be made on said road, as will conduce to the public interest.

*Be it further enacted,* That before any money shall be expended on the said road, the said commissioners shall locate a route for said road, having a due regard to distance and facilities afforded in constructing said road.

*Be it further enacted,* That the said \$5,000 be paid out of the treasury, upon the certificate of said commissioners, or a majority of them.

*Be it further enacted,* That on failure of any one or more of the aforesaid commissioners to act, that the county court in which said failure may happen, shall have power, a majority of all the justices of the peace being present, to supply such failure.

*Be it further enacted,* That before the aforesaid commissioners shall draw on the treasury for the sum of the aforesaid \$5,000, they shall enter into bond, with good and sufficient security to the Commonwealth of Kentucky, for the faithful application of said appropriation.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs B. Allen and Chambers, were as follows:

YEAS—Messrs. B. Allen, Fields, W. N. Marshall, Strother and D. White—5.

NAYS—MR. SPEAKER, Messrs. C. Allan, Anderson, Baker, Barlow, Barrett, Beall, Brown, Butler, Burns, Cassidy, Chambers, Chiles, Chowning, Churchill, Colglazer, Colyer, Copeland, Crutchfield, Curd, Dawson, Dickson, Dyer, Ewing, Fowler, Gass, Grigsby, Grundy, Hardy, Hayes, Haynes, Heady, Helm, Henderson, Hobbs, Hunton, James, A. Johnson, E. L. Johnson, Lackey, Lewis, Love, McAfee, McNary, J. K. Marshall, Mize, J. T. Morehead, P. Morehead, Murray, New, Norvell, Patrick, Patton, Phelps, Pierce, Preston, Ray, Rodes, Robb, Roberts, Russell, Shanks, Sisk, Smith, Speedsmith, Spalding, Sprigg, Stewart, Stotts, Stout, Thomas, Tomlinson, Tompkins, True, Turner, Vallandigham, Ward, A. S. White, Whittington, G. W. Williams, S. Williams, W. J. Williams, Wilson, Wortham and Yantis—84.

Mr Tomlinson then moved to attach to said bill the following engrossed clause, by way of ryder, viz:

*Provided,* That there is hereby guarantied to the state at least six per cent per annum, on the amount of stock subscribed to said road, from and after the first day of January, 1832.

And the question being taken on the adoption thereof, it was decided in the negative.

The yeas and nays being required thereon, by Messrs McAfee and Tomlinson, were as follows, viz:

YEAS—Messrs B. Allen, Baker, Barlow, Barrett, Burns, Chiles, Copeland, Dawson, Ewing, Fields, Girton, Grundy, Hardy, Harris, Henderson, Hobbs, Jackson, James, Lackey, Love, McAfee, W. N. Marshall, Mize, P. Morehead, Patterson, Preston, Ray, Sisk, Stotts, Stout, Tomlinson, Tompkins, S. Williams, W. J. Williams and Wortham—35.

NAYS—MR. SPEAKER, Messrs C. Allan, Anderson, Beall, Brown, Butler, Cassidy, Chambers, Chowning, Churchill, Colglazer, Colyer, Crutchfield, Curd, Dickson, Dyer, Fowler, Gass, Grigsby, Guthrie, Hayes, Haynes, Heady, Helm, Hickman, Hunton, A. Johnson, E. L. Johnson, Lewis, McNary, J. K. Marshall, J. T. Morehead, Murray, New, Norvell, Patrick, Patton, Phelps, Pierce, Rodes, Robb, Roberts, Rudd, Russell, Shanks, Smith, Speedsmith, Sprigg, Stewart, Strother, Thomas, True, Turner, Vandigham, Ward, A. S. White, D. White, Whittington, G. W. Williams, Wilson and Yantis—61.

The question was then taken on the passage of said bill, which was decided in the affirmative.

The yeas and nays being required thereon, by Messrs McAfee and Chambers, were as follows, viz:

YEAS—MR. SPEAKER, Messrs C. Allan, Beall, Butler, Cassidy, Chambers, Churchill, Colglazer, Colyer, Crutchfield, Curd, Dickson, Fowler, Gass, Guthrie, Hayes, Heady, Helm, Henderson, Hickman, Hobbs, Jackson, A. Johnson, E. L. Johnson, J. K. Marshall, J. T. Morehead, Murray, New, Norvell, Patrick, Patton, Phelps, Robb, Roberts, Rudd, Russell, Shanks, Sprigg, Stewart, Strother, Thomas, True, Vandigham, Ward, A. S. White, D. White, Whittington, G. W. Williams and Wilson—49.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Barrett, Brown, Burns, Chiles, Chowning, Copeland, Dawson, Dyer, Ewing, Fields, Girton, Grigsby, Grundy, Hardy, Harris, Haynes, Hunton, James, Lackey, Lewis, Love, McAfee, McNary, W. N. Marshall, Mize, P. Morehead, Patterson, Pierce, Preston, Ray, Rodes, Sisk, Smith, Speedsmith, Spalding, Stotts, Stout, Tomlinson, Tompkins, Turner, S. Williams, W. J. Williams, Wortham and Yantis—48.

*Ordered*, That the clerk inform the Senate thereof.

Mr Sprigg read and laid on the table the following joint resolution:

*Resolved*, by the General Assembly of the Commonwealth of Kentucky, That the resolution for adjournment of the Legislature on the 15th instant, be rescinded, and that when they adjourn on the 21st inst. they will adjourn without day.

And then the House adjourned.

SATURDAY, JANUARY 15, 1831.

The Speaker laid before the house the remonstrance of sundry citizens of Grant county, against the petition presented for removing H. O. Brown from his office of a circuit judge of this Commonwealth—which was received, read, and laid on the table.

Mr. Yantis, from the committee of privileges and elections made the following report:

The committee of privileges and elections would add to the former report, that in the general returns of the members returned to serve in the House of Representatives, there is the names of John Brown, from the county of Owen; James S. Crutchfield, from the county of Oldham; and from the county of Wayne, Sherrod Williams.

On motion—

*Ordered*, That the public printers forthwith print five hundred copies of a bill to establish the Agricultural Bank of Kentucky, for the use of the members of this house.

A message was received from the Senate, announcing their disagreement to bills which originated in this house of the following titles:

An act to provide for removing the obstructions to the navigation of the Rolling fork of Salt river.

An act to remove the obstructions to the navigation of Murd-  
dy river, and for other purposes.

An act to provide for removing the obstructions to the navigation of Little Barren river.

And had received official information, that the Governor did, on the 14th instant, approve and sign enrolled bills, which originated in the Senate, of the following titles:

An act for the benefit of the Washington Academy.

An act to establish an election precinct in the county of Henderson and in the county of Hopkins.

An act for the benefit of John Staton.

An act to establish the town of Colemansville.

An act for the benefit of the heirs of Quinton Stewart and John Hawkins.

An act establishing the town of Poplar Plains, in Fleming county.

An act for the benefit of the actual settlers west of the Tennessee river.

An act to amend the law in relation to keeping the public roads in repair.

An act to improve certain roads in Caldwell county.

An act for the relief of the Commissioners of the Lunatic Asylum, and for other purposes.

An act to amend an act entitled, "an act for the benefit of Jereboam Beauchamp, approved January, 1829."

An act directing the county courts of the counties through which the state road from Cloverport to Bowlinggreen passes, to appoint surveyors to keep the same in repair.

An act to repeal an act entitled, an act for the purpose of having the Edmonson county line run from White's to Hunter's, and also to run the line between Edmonson and Barren, approved January 29, 1830.

A resolution directing two rooms in the state house to be fitted up for a library.

The following bills were reported by the several committees appointed to prepare and bring in the same, viz:

By Mr B. Allen—1. A bill to amend the law relative to the fees of tobacco inspectors.

By Mr Hardy—2. A bill to establish an election precinct in Barren county, and for other purposes.

By Mr E. L. Johnson—3. A bill to amend an act entitled, an act to provide for the sale of a part of the public ground in Georgetown, approved February 14, 1820, and for other purposes.

By Mr Girton—4. A bill to fix an earlier day for the meeting of the General Assembly.

Which bills were severally received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of the first, second and third bills having been dispensed with:

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The rule of the house, and second reading of the fourth bill having been dispensed with, the same was ordered to be engrossed and read a third time.

The house took up the amendments proposed by the Senate, to a bill which originated in this house, of the following title:

An act for the appropriation of money—which being twice read, were, with the exception of one, concurred in.

*Ordered*, That the clerk inform the Senate thereof.

The house took up for consideration the resolution laid on the table on yesterday by Mr Sprigg, for rescinding the resolution for an adjournment on this day.

It was then moved and seconded to postpone the further consideration of said resolution until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs Turner and Sprigg, were as follows:

YEAS—Messrs. C. Allan, B. Allen, Anderson, Baker, Barlow, Barrett, Beall, Brown, Burns, Chiles, Churchill, Colyer, Copeland, Crutchfield, Curd, Dawson, Ewing, Fields, Girton, Grundy, Hardy, Harris, Hayes, Henderson, Hickman, Hobbs, Hunton, A. Johnson, E. L. Johnson, Lewis, Love, McAfee, J. K. Marshall, W. N. Marshall, J. T. Morehead, P. Morehead, New, Norvell, Patterson, Pierce, Ray, Rodes, Robb, Russell, Shanks, Sisk, Smith, Spalding, Stewart, Stotts, Stout, Strother, Thomas, Tompkins, Turner, S. Williams, W. J. Williams, Wortham and Yantis—59.

NAYS—MR SPEAKER, Messrs. Butler, Cassidy, Chambers, Chowning, Colglazer, Dickson, Dyer, Fowler, Grigsby, Guthrie, Haynes, Heady, Helm, Jackson, James, Lackey, Murray, Patrick, Patton, Phelps, Roberts, Rudd, Sprigg, True, Vallandigham, Ward, A. S. White, D. White, Whittington and G. W. Williams—31.

The house proceeded to reconsider the amendments proposed by this house to a bill from the Senate, entitled, an act for the relief of the sheriff of Gallatin county.

*Resolved*, That this house recede from their said amendment.

*Ordered*, That the clerk inform the Senate thereof.

Engrossed bills of the following titles, were severally read a third time.

1. An act for the benefit of Thomas Goodwin.

2. An act appropriating some of the vacant lands, in the district of country west of the Tennessee river, to the building of bridges in said district.

*Resolved*, That the said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk carry the said bills to the Senate and request their concurrence.

The following bills from the Senate, were severally read a third time.

1. An act to amend an act entitled, an act to provide for the erection of two bridges across Rockcastle river.

2. An act to alter the state road from Crab Orchard to Stanford.

3. An act to establish a new judicial district.

The second bill being laid on the table.

*Resolved*, That the first and third bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

The following bills from the Senate, were severally read a second time:

1. An act providing for the erection of a tombstone over the grave of the late General John Caldwell, and for other purposes.
2. An act to amend the laws in relation to guardians.
3. An act for the benefit of the widow and heirs of James Ladd, deceased.
4. An act for the benefit of Nicholas Valentine.

The first, second and third were ordered to be read a third time.

And the question being taken on reading the fourth bill, a third time, it was decided in the negative, and so the said bill was rejected.

And thereupon, the constitutional provisions, as to the third readings of the first, second and third bills being dispensed with:

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

The following bills from the Senate, were severally read the first time, and ordered to be read a second time:

1. An act for the benefit of Gustavus Brown.
2. An act further to regulate the Court of Appeals.
3. An act for the benefit of James Lockbridge.
4. An act further to regulate the Whitley Turnpike road.
5. An act appointing a Keeper to the Penitentiary.
6. An act to regulate the Madison and Crab Orchard gates, on the turnpike and wilderness state road, and for other purposes.
7. An act for the benefit of John Woolford, of Casey county.
8. An act for the benefit of William Thomas, of Casey county.
9. An act for the benefit of Eli Bentley.
10. An act to amend an act, further to regulate the Bank of the Commonwealth, approved January 29, 1830.
11. An act providing for opening a road from the mouth of Shelby's creek, on Sandy river, to the top of Cumberland mountain, in a direction to Jonesborough, in Tennessee.
12. An act to incorporate the Trustees of Mount Pleasant school house, in Franklin county.
13. An act to authorize the county court of Casey to change the location of the state road through the lands of Charles Vanderver, in said county.
14. An act to amend an act entitled, an act to amend an act to establish an election precinct in Green county, approved the 16th of December, 1829, and to establish election precincts in sundry other counties.

15. An act to amend the road law, in the county of Greenup.
16. An act for the benefit of the devisees of John Donaldson, George Stockton and James Lewis.
17. An act for the benefit of the county of Bracken.
18. An act for the benefit of Lydia McCord and her infant children.
19. An act appointing commissioners to review a state road leading from Owenton to Ghent, on the Ohio river.
20. An act for the benefit of the heirs of Nehemiah Webb, deceased.
21. An act to authorize the executors of Samuel Givens to convey certain lands sold by said Givens in his lifetime.
22. An act for the benefit of William Hardin.

23. An act to authorize the Nicholas county court and the Trustees of the town of Carlisle to appropriate money to purchase a fire engine for the use of said town.

And thereupon, the rule of the house, constitutional provision and second and third readings of the said bills (the second excepted) having been dispensed with:

*Resolved*, That the said bills do pass.

*Ordered*, That the clerk inform the Senate thereof.

A resolution from the Senate, for burning a portion of the notes of the Bank of the Commonwealth, was twice read, and concurred in.

*Ordered*, That the clerk inform the Senate thereof.

A message was received from the Senate, announcing that the Senate recede from their amendment to the bill from this house, entitled, an act for the appropriation of money—to which this house had disagreed.

And the passage of bills, from this house, of the following titles:

An act to authorize the Trustees of the Woodford Academy to make sale of certain property.

An act to incorporate the Frankfort and Lexington Turnpike road Company.

An act to provide for the improvement of the road from the Estill county line, by way of Perry court house, to the Virginia state line.

An act to improve Muldrough's hill on the road leading from Lexington to Nashville.

An act for the benefit of the administrator of Barnet Rodgers, of Boone county.

An act to amend an act entitled, an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830.

And their concurrence in the amendments proposed by this house, to bills from the Senate, of the following titles:

An act to amend the laws concerning the Trustees of the town of Glasgow, and for other purposes.

An act to allow additional justices of the peace to certain counties.

Also, the passage of a bill which originated in this house, entitled an act to authorize the sheriff of Monroe county to execute bond for the collection of the revenue tax and county levy of said county—and

An act to incorporate the Lexington and Kentucky road Company.

The latter bill was then read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision, and second and third readings of said bill having been dispensed with:

*Resolved*, That the said bill do pass.

*Ordered*, That the clerk inform the Senate thereof.

Mr Jackson read and laid on the table the following resolution:

Whereas, it is represented to the General Assembly of the Commonwealth of Kentucky, that the navigation of the Cumberland river, from Smith's ferry, to the mouth of Laurel river, is of primary importance to a considerable portion of the citizens of this Commonwealth; and that the improvement of the navigation of said river between those points, would greatly promote their interests, and the interests of the community at large; and whereas it is believed that the navigation of said river may be greatly improved at an expense comparatively trifling; therefore,

*Resolved*, That the Governor be requested to employ an engineer, or some suitable person, to examine said river, between Smith's ferry and the mouth of Laurel river; whose duty it shall be to report to the next Legislature particularly what improvements may be made, and at what expense.

*Resolved*, That the engineer so appointed, shall also make a particular survey of the falls of Cumberland river, and report the probability of removing the obstructions of the same.

Mr C. Allan read and laid on the table the following resolution:

*Resolved*, by the General Assembly, That the editors of the Argus, Commentator and the Kentuckian, be allowed \$25 each, for papers furnished the members during the session.

And thereupon, the rule of the house having been dispensed with, the said resolution was taken up, twice read, and adopted.

The yeas and nays being required on the adoption of said resolution, by Messrs B. Allen and C. Allan, were as follows:

YEAS—MR. SPEAKER, Messrs. C. Allan, Beall, Brown, Butler, Cassidy, Chambers, Chowning, Churchill, Colglazer, Colyer, Crutchfield, Dy-

er, Fowler, Guthrie, Harris, Hayes, Hobbs, Hunton, Jackson, Lewis, McAfee, McNary, J. K. Marshall, P. Morehead, Murray, Patterson, Phelps, Preston, Ray, Roberts, Rudd, Russell, Smith, Spalding, Sprigg, Stewart, Stotts, Thomas, Tomlinson, Tompkins, Ward, A. S. White, Whittington, W. J. Williams and Yantis—46.

NAYS—Messrs. B. Allen, Anderson, Baker, Barlow, Burns, Chiles, Copeland, Dawson, Fields, Girton, Grundy, Henderson, Mize, Norvell, Strother, S. Williams and Wortham—17.

*Ordered*, That the clerk carry the said resolution to the Senate and request their concurrence.

Mr D. White moved the following resolution:

*Resolved*, by the House of Representatives, That the officers of the Bank of the Commonwealth of Kentucky be, and they are hereby instructed, not to receive any further deposits by individuals, in said Bank.

Which being twice read, was adopted.

Mr. Tompkins moved the following resolution, which was read, viz:

*Resolved*, That the several agents of the Bank of the Commonwealth, receive from the debtors of said Bank, specie at the rate of 87½ cents, on each dollar due said Bank.

It was then moved and seconded to lay the said resolution on the table, until the first day of June next.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon, by Messrs McAfee and Beall, were as follows:

YEAS—Messrs. C. Allen, Beall, Chambers, Churchill, Colglazer, Colyer, Crutchfield, Fowler, Girton, Guthrie, Hardy, Harris, Hayes, Hickman, Hunton, Jackson, James, McNary, J. K. Marshall, J. T. Morehead, P. Morehead, Murray, New, Norvell, Patrick, Patton, Phelps, Pierce, Russell, Smith, Spalding, Stewart, Stout, Strother, Thomas, True, Vallandigham, A. S. White, D. White, Whittington, G. W. Williams, S. Williams, W. J. Williams, Wilson and Yantis—45.

NAYS—Messrs. Baker, Cassidy, Chowning, Copeland, Dyer, Fields, Grundy, Heady, Henderson, Hobbs, Lackey, McAfee, Preston, Stotts, Tomlinson, Tompkins, Ward and Wortham—18.

Mr Colglazer read and laid on the table the following joint resolution:

*Resolved*, That it is the deliberate opinion of the General Assembly, that the resolution adopted by the Trustees of the Augusta College, to admit into that institution the sons of Methodist preachers, free of tuition fees, is not only a violation of the charter of said College, but that it is sectarian in its character

and partial in its operations, and therefore highly prejudicial to the fame and future usefulness of that institution.

A message was received from the Senate, announcing the passage of a bill, entitled, an act supplemental to an act concerning the powers of the Trustees of the town of Glasgow, and for other purposes.

Which bill was received, and read the first time, and ordered to be read a second time.

And thereupon, the rule of the house, constitutional provision and second and third readings of said bill having been dispensed with:

*Resolved*, That the said bill do pass, and that the title thereof be as aforesaid.

*Ordered*, That the clerk inform the Senate thereof.

Mr. Barlow, from the joint committee of enrolments, reported, that the committee had examined enrolled bills of the following titles:

An act for the benefit of John Judd.

An act for the benefit of John H. Rudd and others.

An act to incorporate the Literary Institution of St. Rose, in Washington county.

An act to provide for the opening of a road from Frankfort to King's ferry, on the Ohio river, by the way of Newcastle, in Henry county.

An act to authorize a subscription in the stock of the Maysville, Washington, Paris and Lexington Turnpike Road Company, and to amend the several acts incorporating said Company.

An act to change the venue in the case of James McKinney.

An act authorizing the sale of the Baptist meeting house and lot in Mountsterling.

An act to authorize the Sheriff of Monroe county to execute bond for the collection of the revenue and county levy of said county.

An act to improve the navigation of the Big South Fork of Cumberland river.

An act to compel William Feland, late justice of the peace for Warren county, to surrender up his records and papers to Thomas S. Denton, justice of the peace in Barren county.

An act to provide for completing the road from Beaver Iron works in Bath county, by way of West Liberty, to Louisa.

An act to amend an act entitled, an act to incorporate a company to build a bridge across Salt river, at the town of Taylorsville.

An act for the appropriation of money.

An act to incorporate the Bayou de Chien Navigation Company.

An act appointing a keeper of the Penitentiary.

An act for the benefit of the widow and heirs of James Ladd, deceased.

An act for the relief of the sheriff of Gallatin county.

An act to amend an act entitled, an act for the erection of two bridges across Rockcastle river.

An act to allow additional justices of the peace in certain counties.

An act to establish a new judicial district.

An act for the benefit of the heirs of Elizabeth Geddings.

An act to improve Muldrough's hill, on the road leading from Lexington to Nashville.

An act to incorporate the Frankfort and Lexington Turnpike road Company.

An act to incorporate the Trustees of Mount Pleasant Meeting house in Franklin county.

An act providing for the erection of a tombstone over the grave of the late Gen. John Caldwell, and for other purposes.

An act to amend the laws in relation to guardians.

An act for the benefit of James Lockridge.

An act for the benefit of Gustavus Brown.

An act for the benefit of Eli Bentley.

An act for the benefit of John Woolford, of Casey County.

An act for the benefit of the heirs of Henry Perkins, deceased, and others.

A resolution to burn a portion of the notes of the Bank of the Commonwealth—

A report of the committee appointed to make examination respecting that part of the state line between the states of Kentucky and Tennessee, adjoining the counties of Trigg, Simpson, &c.

An act to authorize the Trustees of the Woodford Academy to make sale of certain property.

An act for the benefit of the administrator of Barnet Rodgers, of Boone county.

An act to provide for the improvement of the road from the Estill county line, by way of Perry court house, to the Virginia state line.

An act to amend an act entitled, an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830.

An act to regulate the Madison and Crab Orchard gates, on the Turnpike and Wilderness state road, and for other purposes.

An act to authorize the Nicholas county court, and the Trustees of the town of Carlisle to appropriate money to purchase a fire engine for the use of said town.

An act for the benefit of the heirs of Nehemiah Webb, deceased.

An act to authorize the executors of Samuel Givens, deceased, to convey lands sold by said Givens in his lifetime.

An act to amend the road law of in the county of Greenup.

An act appointing commissioners to review a state road, leading from Owenton to Ghent, on the Ohio river.

An act to amend an act entitled, an act to amend an act establishing an election precinct in Green county, approved December 16th, 1829, and to establish election precincts in sundry other counties.

An act for the benefit of the county of Bracken.

An act to authorize the county court of Casey to change the location of the state road through the lands of Charles Vandever in said county.

An act to incorporate the Lexington and Kentucky road Company.

An act for the benefit of the devisees of John Donaldson, George Stockton and James Lewis.

An act to amend an act further to regulate the Bank of the Commonwealth, approved January 29, 1830.

An act supplemental to an act to amend the law concerning the powers of the trustees of the town of Glasgow, and for other purposes.

An act for the benefit of William Hardin.

An act for the benefit of William Thomas, of Casey county.

An act further to regulate the Whitley turnpike road.

An act for the benefit of Lydia McCord and her infant children.

An act to provide for opening a road from the mouth of Shelby's creek, on Sandy river, to the top of Cumberland mountain in a direction to Jonesborough, in Tennessee.

An act to amend the law concerning the powers of the Trustees of the town of Glasgow, and for other purposes.

Whereupon, the Speaker affixed his signature thereto.

Ordered, That the clerk inform the Senate thereof.

A message from the Governor, by Mr. Crittenden, his secretary:

*Mr. Speaker*—The Governor did, on this day, approve and sign sundry enrolled bills, which originated in this House, of the following titles:

An act to improve the navigation of the Big South fork of Cumberland river, and for other purposes. *Approved 14th January, 1831.*

An act to amend the law of desents and for the distribution of intestates' estates.

An act to establish an election precinct in Livingston county, and for other purposes.

An act for the benefit of M'Ilvain and Smith.

An act for the benefit of William Crook.

An act for the benefit of the heirs of James McCollom, deceased and others.

An act to authorize the justices of Hancock county to increase the county levy.

An act to authorize the sale of an alley in the town of Mountsterling.

An act making an appropriation to aid in the repair of the Sandy road, and to authorize a turnpike gate thereon.

An act to regulate the criminal terms of the Jefferson circuit court.

An act to authorize Thomas Taylor, jr. and the heirs of George Shrader, deceased, to build a mill-dam across Rough Creek, in Ohio county.

An act to legalize the proceedings of the Whitley and Laurel county courts.

An act authorizing the sale of the Baptist meeting house and lot, in Mountsterling.

An act to change the venue in the cases of James McKinney and William Palmore.

An act to regulate the constables' districts in the county of Henry, and to reduce the number to eight.

An act for the benefit of the committee and family of John Atchison, and for the benefit of John Lear's heirs.

An act to compel Wm. Feland, late justice of the peace for Warren county, to surrender up his records and papers to Thomas S. Denton, justice of the peace in Barren county.

An act for the appropriation of money.

An act to amend an act entitled, an act to incorporate a company to build a bridge across Salt River, at the town of Taylorsville.

An act to extend and alter the terms of certain circuit courts of this Commonwealth.

An act confirming the right of David and John Trimble, in the erection of a dam at their Iron works, on Little Sandy river, in Greenup county.

An act to provide for completing the road from Beaver Iron works, in Bath county, by way of West Liberty, to Louisa.

An act to prevent future confliction in land claims, and to secure to seafers and improvers a preference of location to lands improved by them.

An act restoring the ferry privileges to the town of Columbus.

An act for the benefit of the administrator of Barnet Rodgers, of Boone county.

An act to provide for the improvement of the road from the Estill county line, by way of Perry court house, to the Virginia state line.

An act to amend an act entitled "an act to constitute a board of internal improvement for Shelby county, approved January 29, 1830.

An act to authorize the trustees of the Woodford Academy, to make sale of certain property.

An act to incorporate the Frankfort & Lexington turnpike road Company.

[JAN. 15.

An act to improve Muldrough's hill, on the road leading from Lexington to Nashville.

An act to authorize the sheriff of Monroe county, to execute bond for the collection of the revenue tax and county levy of said county.

*Approved 15th January, 1831.*

*Ordered,* That the clerk inform the Senate thereof.

A message was received from the Senate, announcing that the Senate had received official information, that the Governor had approved and signed the enrolled bills, which originated in the Senate, and were signed by the Speakers of both houses on this day.

The Speaker having retired, Mr D. White offered the following resolution:

The members of the House of Representatives and their officers, cannot consent to adjourn without tendering to each other an expression of mutual confidence and undisguised friendship.

In this affectionate separation, we will remember, with lively emotions, that the able and dignified course pursued by the presiding officer of the house, without regard to parties, has essentially contributed to a happy termination of the labors of the session.

Which being read, was unanimously adopted.

*Ordered,* That a message be sent to the Senate, informing them that, this house having finished the Legislative business, is now ready to close the present session of the General Assembly, by an adjournment without day: but are nevertheless disposed to continue in session, until it shall suit the convenience and pleasure of the Senate to adjourn also; that they have appointed a committee on their part, to meet such committee as may be appointed on the part of the Senate, to wait on the Governor and inform him of the intended adjournment of the General Assembly, and to know if he has any further communication to make; and that Mr Yantis carry the said message.

A message from the Senate, by Mr Wingate:

*Mr Speaker*—The Senate, having finished the legislative business, are now ready to adjourn without day; and they have appointed a committee on their part, to act with the committee on the part of this house, to wait on the Governor and inform him of the intended adjournment of the General Assembly, and to know whether he has any further communication to make.

And then he withdrew.

The committee on the part of this house then retired, and after a short time returned, when the committee reported, that the joint committee had discharged the duty assigned them, and were informed by the Governor that he had no further communication to make.

Whereupon, the Speaker, having delivered a congratulatory and valedictory address, adjourned the house, *sine die*.